THE NATIONAL ARCHIVES
LITTERA SCRIPTA MANET
FEDERAL REGISTER
1934
OF THE UNITED STATES
VOLUME 17 NUMBER 12
Washington, Thursday, January 17, 1952

TITLE 6—AGRICULTURAL CREDIT

Chapter IV—Production and Marketing Administration and Commodity Credit Corporation, Department of Agriculture

Subchapter C—Loans, Purchases, and Other Operations

[1951 CCC Tung Nut Bulletin, 821 (Tung Nuts 1951)-1]

PART 643—OILSEEDS

SUBPART—1951 CROP TUNG NUT PRICE SUPPORT PROGRAM

This bulletin states the requirements with respect to the 1951 Crop Tung Nut Price Support Program formulated by Commodity Credit Corporation (hereinafter referred to as "CCC") and the Production and Marketing Administration (hereinafter referred to as "PMA").

Sec.
643.625 Administration.
643.626 Availability.
643.627 Approved lending agencies.
643.628 Eligible producer.
643.629 Eligible tung nuts and tung oil.
643.630 Approved storage facilities.
643.631 Approved forms.
643.632 Determination of quantity.
643.633 Determination of quality under purchase agreement.
643.634 Liens.
643.635 Service charges.
643.636 Set-offs.
643.637 Transfer of producer's rights or equity.
643.638 Delivery and payment under purchase agreement.
643.639 Maturity of loans.
643.640 Interest rate.
643.641 Release of tung oil under loan.
643.642 Liquidation of the loan.
643.643 Purchase of notes.
643.644 Storage and handling charges.
643.645 Support prices.
643.646 PMA commodity offices.

AUTHORITY: §§ 643.625 to 643.646 issued under sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup. 714b. Interpret or apply secs. 4, 5, 62 Stat. 1070, 1072, as amended, secs. 201, 401, 63 Stat. 1051, 1054; 15 U. S. C. Sup. 714b, 714c, 7 U. S. C. Sup., 1446, 1421.

§ 643.625 *Administration.* The program will be administered by the appropriate branches and commodity offices of PMA, under the general direction and supervision of the President, CCC. In the field, the program will be carried out through State and county PMA committees (hereinafter referred to as State and county committees) and PMA commodity offices. Forms will be distributed through the offices of State and county committees. County committees will examine and approve purchase agreement and loan documents and determine the eligibility of producers and of tung nuts and tung oil under the program. The county committee may designate in writing one or more employees of the county office to perform such functions on behalf of the committee.

§ 643.626 *Availability*—(a) *Methods of price support.* Price support will be available to tung nut producers by means of purchase agreements on tung nuts and tung oil and non-recourse loans on tung oil stored in approved storage facilities.

(b) *Area.* The program will be available in the States of Alabama, Georgia, Florida, Louisiana, Mississippi, and Texas.

(c) *When to apply.* Purchase agreements covering tung nuts will be accepted by the county committee through January 31, 1952. Purchase agreements and loan documents covering tung oil will be accepted by the county committee through June 30, 1952.

(d) *Where to apply.* Application for price support should be made through the office of the county committee which keeps the farm program records for the farm.

(e) *Disbursement of loans.* Disbursement of loans will be made to producers by PMA State offices by means of sight drafts drawn on CCC, or by approved lending agencies under agreement with CCC. Disbursement will not be made by lending agencies later than 15 days after the approval of a loan, unless a longer period is approved by the President, CCC.

§ 643.627 *Approved lending agencies.* An approved lending agency shall be

(Continued on p. 495)

CONTENTS

FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Federal Register Division, National Archives and Records Service, General Services Administration, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U. S. C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D. C.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER.

CONTENTS—Continued

CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

Title 6	Page
Chapter IV:	
Part 643	493
Title 7	
Chapter IX:	
Part 927 (proposed)	527
Part 944 (proposed)	527

CODIFICATION GUIDE—Con.

any bank, corporation, partnership, individual, or other legal entity with which CCC has entered into a Lending Agency Agreement (Form PMA 97, or other form prescribed by CCC) or a loan servicing agreement.

§ 643.628 *Eligible producer.* An eligible producer shall be an individual, partnership, cooperative association of producers, corporation, or other legal entity producing tung nuts in 1951 as landowner, landlord, tenant, or sharecropper.

§ 643.629 *Eligible tung nuts and tung oil*—(a) *Tung nuts.* Tung nuts must be matured, air dried, with hard hulls, dark in color, and be suitable for crushing.

(b) *Tung oil.* Tung oil must meet Federal Specifications No. TT–O–395 dated February 3, 1948. The eligibility of tung oil delivered under this program must be evidenced by a certification signed by the producer in the form prescribed in § 643.631 (d).

§ 643.630 *Approved storage facilities.* Approved storage facilities shall consist of storage facilities made available by tung oil mills and others having adequate facilities for handling and storing tung oil, for which a tung oil storage agreement form (Commodity Credit Corporation 77) for the 1951 crop has been entered into with CCC through the PMA commodity offices. The names of owners or operators of approved storage facilities may be obtained from PMA commodity offices and State and county offices.

§ 643.631 *Approved forms.* The approved forms consist of the purchase agreement and loan documents which, together with the provisions of this subpart, and any supplements and amendments hereto, govern the rights and responsibilities of the producer. Purchase agreement or loan documents executed by an administrator, executor, or trustee, will be acceptable only where legally valid. Any fraudulent representation made by any producer or his agent in executing any of the purchase agreement or loan documents or in obtaining the purchase agreement or loan proceeds will render him subject to criminal prosecution and liable for any damages suffered by CCC as a result of purchase of the commodity or personally liable for the amount of the loan and for any resulting expense incurred by any holder of the note.

(a) *Purchase agreement documents.* The purchase agreement documents shall consist of the Purchase Agreement (Commodity Purchase Form 1), Delivery Instructions (Commodity Purchase Form 3), Purchase Agreement Settlement (Commodity Purchase Form 4), Lien Waiver for Purchase (Commodity Purchase Form 5) and other applicable forms prescribed in paragraph (c) of this section.

(b) *Loan documents.* The approved forms shall be the Producer's Note and Loan Agreement (Commodity Loan Form B), and other applicable forms prescribed in paragraph (c) of this section.

(c) *Other forms.* Warehouse receipts, chemical analysis certificates issued by approved chemists, producer's certification of eligibility of tung oil, producers group designation of agent, and such other forms as may be prescribed by the President, CCC, shall be considered as part of the purchase agreement or loan documents.

(d) *Producer's certification of eligibility of tung oil.* Before a loan is made on tung oil or before delivery of tung oil under a purchase agreement can be accepted by the county committee, the producer must sign a statement in substantially the following form:

I (we) hereby certify as follows:
(1) That the ------ pounds of tung oil located in ---------- at
(Name of storage facility)
---------- which I (we) are pledging
(Address)
to CCC as collateral for loan (are tendering for delivery to CCC under purchase agreement) was processed for my (our) account by ---------- to whom I (we)
(Name of plant)
delivered for toll processing 1951 crop tung nuts produced by me (us);
(2) That such quantity of tung oil is not in excess of that which such processor determined would be extracted from such tung nuts on the basis of their oil content; and
(3) That the beneficial interest in such tung nuts and in the resultant tung oil above described is and always has been in me (us) or in me (us) and a former producer whom I (we) succeeded before such tung nuts were harvested.

(Signature of producer)

(Date)

(e) *Designation of agent by a group of producers.* Any group of eligible producers may designate in writing, on the form or forms[1] prescribed by CCC, an agent to act in their behalf jointly in obtaining price support under this program. A copy of each designation of agent signed by one or more producers and indicating the maximum quantity of eligible tung nuts that each producer will produce on his own farm, and on which he wishes price support, must be delivered to the county committee before any purchase agreement or loan documents on behalf of the group are approved by the county committee.

(f) *Warehouse receipts covering tung oil under purchase agreement or loan.* Warehouse receipts on tung oil must:

(1) Be issued in the name of the producer, state the quantity of tung oil guaranteed by the warehouseman, be properly endorsed in blank so as to vest title in the holder, and be signed by the warehouseman.

(2) Guarantee that the oil when delivered, will meet Federal Specifications No. TT–O–395 dated February 3, 1948.

(3) Indicate the date of issue.

(4) Carry an endorsement in substantially the following form:

Warehouse charges through October 31, 1952, on the tung oil represented by this warehouse receipt have been paid or otherwise provided for, and the warehouseman has no lien upon such tung oil for such charges.

(5) Contain such other terms and conditions as CCC may require in its tung oil storage agreement with approved warehousemen.

§ 643.632 *Determination of quantity*—(a) *Tung nuts.* The quantity of tung nuts delivered under purchase agreement shall be determined on the basis of net weight at point of delivery to CCC with foreign material and bagging excluded.

(b) *Tung oil.* All determinations of the quantity of tung oil represented by warehouse receipts issued by approved warehouses which are pledged to secure a loan or delivered under purchase agreement shall be made on the basis of the guaranteed net weight specified on the warehouse receipt. The quantity of tung oil tendered under a purchase agreement which is not stored in an approved warehouse shall be determined on the basis of approved scale weight at destination of the tank cars.

§ 643.633 *Determination of quality under purchase agreement.* The oil content of tung nuts and the quality of tung oil not stored in an approved warehouse will be determined at the time of delivery to CCC under a purchase agreement, by a chemist approved by the Department of Agriculture on the basis of

[1] Filed as part of the original document.

a sample submitted by a Federal or Federal-State Inspector or by an authorized employee of the State or County PMA Committee in accordance with instructions issued by the Federal or Federal-State Inspection Service. The cost of sampling and analysis shall be borne by the producer.

§ 643.634 *Liens.* If there are any liens or encumbrances on the tung nuts or tung oil proper waivers must be obtained.

§ 643.635 *Service charges.* Services charges shall be paid by the producer on the quantity placed under loan or specified in the purchase agreement, computed at the following rates:

	Rates	Minimum charges
Tung oil	6 cents per 100	$1.50
Tung nuts	18 cents per ton	1.50

No service charges will be refunded.

§ 643.636 *Set-offs.* If the producer is indebted to CCC on any accrued obligations, or if any installments past due or maturing within twelve months are unpaid on any loan made available by CCC on farm storage facilities, whether held by CCC or a lending agency, he must designate CCC or such lending agency as the payee of the proceeds of the purchase or loan to the extent of such indebtedness or installments, but not to exceed that portion of the proceeds remaining after deduction of loan service charges and amounts due prior lienholders. However, prepayment of only one principal installment on a farm storage facility loan shall be deducted from the price support proceeds of any one crop year. If the producer is indebted to any other agency of the United States, and such indebtedness is listed on the county debt register, he must designate such agency as the payee of the proceeds as provided above. Indebtedness owing to CCC or to a lending agency as provided above shall be given first consideration after claims of prior lienholders. Compliance with the provisions of this section shall not constitute a waiver of any right of the producer to contest the justness of the indebtedness involved either by administrative appeal or legal action.

§ 643.637 *Transfer of producer's rights or equity.* The producer may not assign his rights under the purchase agreement. A producer's right to transfer his right to redeem a loan or his equity under a loan may be restricted by CCC.

§ 643.638 *Delivery and payment under purchase agreement*—(a) *Producer's right to sell to CCC.* A producer who signs a purchase agreement (Commodity Purchase Form 1) is not obligated to sell any tung nuts or tung oil to CCC. However, the quantity of tung nuts or tung oil shown on the purchase agreement, will be the maximum quantity the producer may sell to CCC. No payment will be made by CCC for any tung nuts or oil delivered in excess of such maximum quantity.

(b) *Producer's option to sell oil in lieu of tung nuts.* A producer who has signed a purchase agreement in terms of tung nuts may, at his option, sell to CCC in lieu of tung nuts not more than the quantity of tung oil which could have been extracted from such tung nuts as determined by the county committee on the basis of the oil content of such tung nuts.

(c) *Period of notification to sell.* If the producer who signed a purchase agreement wishes to sell tung nuts or tung oil to CCC he will have a 30-day period during which he must notify the county committee of his intention to sell. This period will end on March 31, 1952, for tung nuts and October 31, 1952, for tung oil, or on such earlier dates as may be determined by the President, CCC.

(d) *Delivery of tung nuts.* Eligible tung nuts will be purchased on the basis of the net weight and of the oil content determined by chemical analysis. CCC will not accept delivery until a determination of eligibility has been made and a sample for chemical analysis has been drawn. The producer shall deliver tung nuts tendered to CCC in accordance with instructions issued by the county committee on or after March 31, 1952. If the producer is required by such instructions to make delivery to a point more distant from the farm than his usual milling point, CCC will pay the difference, if any, between the cost of transportation from the farm to the designated delivery point and the cost of transportation from the farm to the usual milling point but not in excess of an amount which the county committee determines is a reasonable difference in cost for such services. The producer must complete delivery of tung nuts within a 15-day period immediately following the date the county committee issues delivery instructions unless the county committee determines that more time is needed for delivery.

(e) *Delivery of tung oil in approved storage facilities.* In the case of tung oil stored in approved storage facilities, the producer must, not later than the day following the final date of the 30-day notification period, or during such period of time thereafter as may be specified by CCC, submit to the county committee warehouse receipts issued in the form prescribed in § 643.631 (f). The total quantity of oil represented by such warehouse receipts shall not exceed the quantity shown on Commodity Purchase Form 1. CCC will not accept delivery of less than the total quantity of tung oil covered by one warehouse receipt. The producers' certification of the eligibility of tung oil, as provided in § 643.631 (d), must accompany the warehouse receipt.

(f) *Delivery of tung oil in other than approved storage facilities.* In the case of tung oil stored in storage facilities which have not been approved, the county committee will on or after October 31, 1952, issue delivery instructions to the producer. Before issuance of such delivery instructions, the producer must submit a chemical analysis certificate covering each tank car offered showing that the oil meets Federal Specifications; or if it is found by the county committee that a submission of these analyses certificates on tank car lots would cause undue delay in shipment, evidence that a sample of each carlot of oil has been properly drawn and submitted to an approved chemist for analysis may be submitted, provided the producer waives his right of appeal of the findings of the approved chemist and that he agrees that demurrage incurred as a result of delay in receiving the chemical analysis prior to final acceptance, shall be for the producer's account. If the oil does not meet Federal Specifications the car shall be rejected with all freight, demurrage, and handling charges reverting to the account of the producer. The producer must submit a certification of the eligibility of tung oil, as provided in § 643.631 (d), and complete delivery within a 15-day period immediately following the date the county committee issues delivery instructions unless the county committee determines that more time is needed for delivery.

(g) *Manner of payment.* The tung nuts or tung oil will be purchased by CCC at the applicable support rate. After completion and approval of all purchase agreement documents and completion of delivery, payment shall be made by sight draft drawn on CCC by the State PMA office on the basis of an approved Commodity Purchase Form 4. The producer shall direct on such forms to whom payment of the proceeds shall be made.

§ 643.639 *Maturity of loans.* Loans shall mature on October 31, 1952, unless demand is made earlier by CCC.

§ 643.640 *Interest rate.* Loans shall bear interest at the rate of 3 percent per annum from the date of disbursement of the loan.

§ 643.641 *Release of tung oil under loan.* A producer may at any time obtain release of the tung oil under loan by paying to the holder of the note and loan agreement, the principal amount thereof, plus charges and accrued interest. If the note is held by an out-of-town lending agency or by CCC, the producer may request that the note be forwarded to a local lending agency or to the county committee for collection. All charges in connection with the collection of the note shall be paid by the producer. Partial release prior to maturity may be arranged with the county committee by paying to the holder of the note the amount of the loan, plus charges and accrued interest, represented by the quantity of the commodity to be released. However, such partial release must cover all of the tung oil under one warehouse receipt.

§ 643.642 *Liquidation of the loan.* If the producer does not repay his loan by maturity, CCC shall have the right to sell or pool the tung oil represented by the warehouse receipt to satisfy the loan in accordance with the provisions of the note and loan agreement and this section. If tung oil is pooled, the producer has no right of redemption after the date the pool is established, but shall share ratably in any overplus remaining upon liquidation of the pool. CCC shall have the right to treat pooled tung oil as a

reserve supply to be marketed under such sales policies as CCC determines will promote orderly marketing, protect the interests of producers and consumers, and not unduly impair the market for the current crop of the commodity even though part or all of such pooled tung oil is disposed of under such policies at prices less than the current domestic price for such commodity. Any sum due the producer as a result of the sale of the commodity or of insurance proceeds thereon, or any ratable share resulting from the liquidation of a pool, shall be payable only to the producer without right of assignment by him.

§ 643.643 *Purchase of notes.* CCC will purchase from approved lending agencies, notes evidencing approved loans which are secured by warehouse receipts issued by approved warehouses. The purchase price to be paid by CCC will be the principal sums remaining due on such notes, plus accrued interest from the date of disbursement to the date of purchase at the rate of 1½ percent per annum. Lending agencies are required to submit Commodity Credit Corporation Form 500 or such other form as CCC may prescribe for all payments received on producers' notes held by them and are required to remit to CCC an amount equivalent to 1½ percent interest per annum, on the amount of the principal collected, from date of disbursement to the date of payment. Lending agencies shall submit notes and reports to the PMA Commodity Office serving the area.

§ 643.644 *Storage and handling charges*—(a) *Tung nuts.* CCC will not pay or assume any of the costs of transportation (except as provided in § 643.638 (d)), storage charges, cleaning, insurance premiums, bags and bagging, sampling, testing and analysis reports, tagging or other handling or processing expenses which are necessary to prepare the tung nuts to meet eligibility requirements.

(b) *Tung oil.* CCC will not pay or assume any sampling, insurance, storage charges or testing and analysis charges or other handling or processing charges which are necessary for the tung oil to meet the eligibility requirements. Storage charges accruing after October 31, 1952, for tung oil under loan or delivered under a purchase agreement in an approved warehouse will be paid by CCC.

(c) *Unexpired storage time.* CCC and any subsequent holder of warehouse receipts covering tung oil shall be entitled to any unexpired portion of the storage time to which the producer became entitled under any contract between the producer and the processor.

§ 643.645 *Support prices*—(a) *Tung nuts.* The support price for tung nuts containing 17.5 percent oil shall be $67.20 per ton. This price shall be adjusted upward or downward by 38 cents per ton for each variation of 1/10 of 1 percent oil from the base of 17.5 percent oil content on the basis of a chemical analysis certificate issued by an approved chemist.

(b) *Tung oil.* The support price for eligible tung oil will be 26.5 cents per pound.

§ 643.646 *PMA commodity offices.* The PMA commodity offices serving the tung area and the States served by them are shown below:

Address and States
50 Seventh Street NE., Atlanta 5, Ga.—Alabama, Florida, Georgia, and Mississippi.
1114 Commerce Street, Dallas 2, Tex.—Louisiana and Texas.

Issued this 10th day of January 1952.

[SEAL] ELMER F. KRUSE,
Vice-President,
Commodity Credit Corporation.

Approved:

G. F. GEISSLER,
President,
Commodity Credit Corporation.

[F. R. Doc. 52-668; Filed, Jan. 16, 1952; 8:58 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[File No. 21-435]

PART 206—GLADIOLUS BULB INDUSTRY

PROMULGATION OF TRADE PRACTICE RULES

Due proceedings having been held under the trade practice conference procedure in pursuance of the act of Congress approved September 26, 1914, as amended (Federal Trade Commission Act), and other provisions of law administered by the Commission;

It is now ordered, That the trade practice rules of Group I and Group II, as hereinafter set forth, which have been approved and received, respectively, by the Commission in this proceeding, be promulgated as of January 17, 1952.

Statement by the Commission. Trade practice rules for the gladiolus bulb industry, as hereinafter set forth, are promulgated by the Federal Trade Commission under the trade practice conference procedure.

Members of the industry are persons, firms, corporations and organizations engaged in the business of growing and marketing, or distributing, gladiolus bulbs in commerce.

The rules are directed to the elimination and prevention of various unfair trade practices and are issued in the interest of protecting the purchasing public and maintaining fair competitive conditions in the industry. To this end the rules provide a helpful standard for all members of the industry.

Proceedings leading to the establishment of rules were instituted upon application made on behalf of interested industry members. A regional industry conference was held under Commission auspices in Los Angeles, California, on January 6, 1951, and was followed by a general industry conference in Chicago, Illinois, on May 4, 1951. Thereafter, a draft of proposed rules was released by the Commission for consideration at a public hearing held in Washington, D. C., on November 29, 1951, at which time all interested or affected parties were afforded opportunity to present their views, suggestions, or objections with respect to the rules.

Following the public hearing, and upon consideration of the entire matter, final action was taken by the Commission whereby it approved and received, respectively, the trade practice rules hereinafter appearing in Group I and Group II.

The rules become operative thirty (30) days from the date of promulgation.

These rules promulgated by the Commission are designed to foster and promote the maintenance of fair competitive conditions in the interest of protecting industry, trade, and the public. It is to this end, and to the exclusion of any act or practice which suppresses competition, restrains trade, fixes or controls price through combination or agreement, or which otherwise injures, destroys, or prevents competition, that the rules are to be applied.

GROUP I

GROUP II

AUTHORITY: §§ 206.1 to 206.105 issued under sec. 6, 38 Stat. 722; 15 U. S. C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45.

GROUP I

General statement. The unfair trade practices embraced in §§ 206.1 to 206.17 are considered to be unfair methods of competition, unfair or deceptive acts or practices, or other illegal practices, prohibited under laws administered by the Federal Trade Commission; and appropriate proceedings in the public interest will be taken by the Commission to prevent the use, by any person, partnership, corporation, or other organization subject to its jurisdiction, of such unlawful practices in commerce.

§ 206.0 *Definition.* As used in this part the term "industry products" means and includes all kinds and types of glad-

iolus bulbs (corms) and gladiolus bulblets (cormels).

§ 206.1 *Misrepresentation (general).* The practice of selling, offering for sale, advertising, describing, or otherwise representing gladiolus bulbs or gladiolus bulblets in a manner or under any circumstances having the capacity and tendency or effect of misleading or deceiving purchasers or prospective purchasers with respect to their size, grade, origin, kind, age, condition, vigor, flowering ability, period of growth required before flowering, price, or value, or in any other material respect, is an unfair trade practice. [Rule 1]

§ 206.2 *Deception as to size.* (a) In the sale, offering for sale, or distribution of industry products, it is an unfair trade practice for an industry member to misrepresent or deceptively conceal the size of any gladiolus bulb, or to use the term "jumbo," "large," "medium," or "small," or "No. 1," "No. 2," No. 3," "No. 4," "No. 5," "No. 6," or "No. 7," or any other term indicative of size, as descriptive of industry products under any circumstance or condition having the capacity and tendency or effect of deceiving purchasers or prospective purchasers.

(b) Under this section the term "jumbo" shall be confined to bulbs which are 2 inches or more in diameter; the term "large" shall be confined to bulbs which are 1¼ inches or more in diameter; the term "medium" shall be confined to bulbs which are ¾ inch or more in diameter; and the term "small" shall be confined to bulbs which are less than ¾ inch in diameter.

(c) In listings and offers for sale confined to wholesale buyers or jobbers, the size of bulbs may be indicated by number in accordance with the following classification:

No. 1—over 1½" in diameter.
No. 2—1½" to 1¼" in diameter.
No. 3—1¼" to 1" in diameter.
No. 4—1" to ¾" in diameter.
No. 5—¾" to ½" in diameter.
No. 6—½" to ⅜" in diameter.
No. 7—under ⅜" in diameter.

[Rule 2]

§ 206.3 *Deception as to blooming or flowering.* In the sale, offering for sale, or distribution of industry products, it is an unfair trade practice for any industry member—

(a) To misrepresent, directly or indirectly, the ability of any of such products to bloom or flower; or

(b) To misrepresent, directly or indirectly, the number of plantings and duration of growth necessary to effect satisfactory blooming and flowering.

When industry products are of such immaturity as not reasonably to be expected to bloom and flower satisfactorily the first season of their planting, such fact shall be clearly and conspicuously disclosed in all advertisements and sales promotional literature relating to such products: *Provided, however,* That such disclosure need not be made when the size of the product is specified in accordance with the requirements of § 206.2 and sales of the products are confirmed to nurseries and commercial growers for their use as planting stock. (See also paragraph (c) of § 206.4). [Rule 3]

§ 206.4 *Deceptive guarantees.* (a) It is an unfair trade practice for an industry member to represent that any product is "guaranteed" unless the nature and extent of the undertaking is conjunctively disclosed and without deceptively minimizing the terms and conditions relating to the obligation of the guarantor.

(b) It is also an unfair trade practice for any industry member to use, or cause to be used, any guarantee in which the obligations of the guarantor are impracticable of fulfilment or in respect to which the guarantor fails or refuses scrupulously to observe his obligations thereunder.

(c) When, because of their immaturity, bulbs or bulblets cannot reasonably be expected to produce a flower during the first season of their planting, industry members shall not guarantee same to bloom or flower unless clear disclosure is made, either in the guarantee or in immediate conjunction therewith, of the fact that blooming and flowering will not likely occur during the first season of planting of such bulb or bulblets. [Rule 4]

§ 206.5 *"Bulblets" not to be designated as "bulbs."* In the sale, offering for sale, or distribution of industry products, it is an unfair trade practice for any member of the industry to use the word "bulb" as a designation for or as descriptive of a "bulblet."

NOTE: A gladiolus bulb has a definite basal root scar denoting a separate root system during its growth. A gladiolus bulblet has no basal root scar, had no root system of its own, and usually requires a growth of one season to produce a bulb.

[Rule 5]

§ 206.6 *Misrepresenting products as conforming to standard.* Representing, through advertisement or otherwise, that gladiolus bulbs or bulblets conform to a standard recognized in or applicable to the industry when such is not the fact, is an unfair trade practice. [Rule 6]

§ 206.7 *Deceptive use of trade or corporate names, trade-marks, etc.* It is an unfair trade practice for a member of the industry to use any trade or corporate name, trade-mark, or other designation under any circumstances having the capacity and tendency or effect of misleading or deceiving purchasers, prospective purchasers, or the general public as to the identity, character of business, business relationships, or business connections of such industry member, or with respect to the origin, quality, or flowering ability of any product sold or offered for sale by such industry member. [Rule 7]

§ 206.8 *Deceptive pricing.* It is an unfair trade practice for any member of the industry to represent, in advertising or otherwise, that the price of any industry product has been reduced from what is in fact a fictitious price, or that a price is a reduced, introductory, or special price when it is in fact the regular selling price of the product, or that the regular price of a product is higher when such is not the fact, or otherwise falsely or deceptively to represent the past or current price of any industry product. [Rule 8]

§ 206.9 *Selling below cost.* The practice of selling industry products at a price less than the cost thereof to the seller, with the purpose or intent, and where the effect may be, to injure, suppress, or stifle competition or tend to create a monopoly in the production or sale of such products, is an unfair trade practice. As used in this section, the term "cost" means the total cost to the seller, including the costs of acquisition, processing, preparation for marketing, sale, and delivery.

This section is not to be construed as prohibiting all sales below cost, but only such selling below the seller's cost as is resorted to and pursued as a monopolistic practice with the wrongful intent referred to and coupled with the effect of unreasonably restraining trade, tending to create a monopoly, or substantially lessening competition.

All elements recognized by good accounting practice as proper elements of such cost shall be included in determining cost under this section. The costs referred to in the section are actual costs of the respective seller and not some other figure or average costs in the industry determined by an industry cost survey or otherwise. [Rule 9]

§ 206.10 *Use of lottery schemes.* The offering or giving of prizes, premiums, or gifts in connection with the sale of industry products, or as an inducement thereto, by any scheme which involves lottery or game of chance, is an unfair trade practice. [Rule 10]

§ 206.11 *Substitution of products.* The practice of shipping or delivering products which do not conform to samples submitted, or to representations made prior to securing the order, without the consent of the purchasers to such substitutions and with the tendency, capacity, or effect of misleading or deceiving purchasers, prospective purchasers, or the consuming public, is an unfair trade practice. [Rule 11]

§ 206.12 *Misrepresentation as to character of business.* It is an unfair trade practice for an industry member to represent, directly or indirectly, that he is a grower, or that he conducts a nursery business, or that he owns or controls a nursery or growing fields, when such is not the fact, or in any other manner to misrepresent the character, extent, or type of his business. [Rule 12]

§ 206.13 *Defamation of competitors or false disparagement of their products.* The defamation of competitors by falsely imputing to them dishonorable conduct, inability to perform contracts, questionable credit standing, or by other false representations, or the false disparagement of the products of competitors in any respect, or of their business methods, selling prices, values, credit terms, policies, or services, is an unfair trade practice. [Rule 13]

§ 206.14 *Tie-in sales; coercing purchase of one product as a prerequisite to the purchase of other products.* The practice of coercing the purchase of one or more products as a prerequisite to the purchase of one or more other products,

where the effect may be substantially to lessen competition or tend to creat a monopoly or unreasonably to restrain trade, is an unfair trade practice. [Rule 14]

§ 206.15 *Exclusive deals.* It is an unfair trade practice for any member of the industry to contract to sell or sell any product, or to fix a price charged therefor, or discount from, or rebate upon, such price, on the condition, agreement, or understanding that the purchaser thereof shall not use or deal in the products of a competitor or competitors of such industry member, where the effect of such transaction may be substantially to lessen competition or tend to create a monopoly in any line of commerce. [Rule 15]

§ 206.16 *Prohibited discrimination.*— (a) *Prohibited discriminatory prices, or rebates, refunds, discounts, credits, etc., which effect unlawful price discrimination.* It is an unfair trade practice for any member of the industry engaged in commerce,[1] in the course of such commerce, to grant or allow, secretly or openly, directly or indirectly, any rebate, refund, discount, credit, or other form of price differential, where such rebate, refund, discount, credit, or other form of price differential, effects a discrimination in price between different purchasers of goods of like grade and quality, where either or any of the purchases involved therein are in commerce,[1] and where the effect thereof may be substantially to lessen competition or tend to create a monopoly in any line of commerce,[1] or to injure, destroy, or prevent competition with any person who either grants or knowingly receives the benefit of such discrimination, or with customers of either of them: *Provided, however*—

(1) That the goods involved in any such transaction are sold for use, consumption, or resale within any place under the jurisdiction of the United States;

(2) That nothing in this section shall prevent differentials which make only due allowance for differences in the cost of manufacture, sale, or delivery resulting from the different methods or quantities in which such commodities are to such purchasers sold or delivered;

(3) That nothing in this section shall prevent persons engaged in selling goods, wares, or merchandise in commerce[1] from selecting their own customers in bona fide transactions and not in restraint of trade;

(4) That nothing in this section shall prevent price changes from time to time where made in response to changing conditions affecting the market for or the marketability of the goods concerned, such as but not limited to obsolescence of seasonal goods, distress sales under court process, or sales in good faith in discontinuance of business in the goods concerned.

(b) *Prohibited brokerage and commissions.* It is an unfair trade practice for any member of the industry engaged in commerce,[1] in the course of such commerce, to pay or grant, or to receive or accept, anything of value as a commission, brokerage, or other compensation, or any allowance or discount in lieu thereof, except for services rendered in connection with the sale or purchase of goods, wares, or merchandise, either to the other party to such transaction or to an agent, representative, or other intermediary therein where such intermediary is acting in fact for or in behalf, or is subject to the direct or indirect control, of any party to such transaction other than the person by whom such compensation is so granted or paid.

(c) *Prohibited advertising or promotional allowances, etc.* It is an unfair trade practice for any member of the industry engaged in commerce[1] to pay or contract for the payment of advertising or promotional allowances or any other thing of value to or for the benefit of a customer of such member in the course of such commerce as compensation or in consideration for any services or facilities furnished by or through such customer in connection with the processing, handling, sale, or offering for sale of any products or commodities manufactured, sold, or offered for sale by such member, unless such payment or consideration is available on proportionally equal terms to all other customers competing in the distribution of such products or commodities.

(d) *Prohibited discriminatory services or facilities.* It is an unfair trade practice for any member of the industry engaged in commerce[1] to discriminate in favor of one purchaser against another purchaser or purchasers of a commodity bought for resale, with or without processing, by contracting to furnish or furnishing, or by contributing to the furnishing of, any services or facilities connected with the processing, handling, sale, or offering for sale of such commodity so purchased upon terms not accorded to all competing purchasers on proportionally equal terms.

(e) *Inducing or receiving an illegal discrimination in price.* It is an unfair trade practice for any member of the industry engaged in commerce,[1] in the course of such commerce, knowingly to induce or receive a discrimination in price which is prohibited by the foregoing provisions of this section.

(f) *Exemptions.* The inhibitions of this section shall not apply to purchases of their supplies for their own use by schools, colleges, universities, public libraries, churches, hospitals, and charitable institutions not operated for profit.

NOTE: In complaint proceedings charging discrimination in price or services or facilities furnished, and upon proof having been made of such discrimination, the burden of rebutting the prima facie case thus made by showing justification shall be upon the person charged; and unless justification shall be affirmatively shown, the Commission is authorized to issue an order terminating the discrimination: *Provided, however,* That nothing in this section shall prevent a seller rebutting the prima facie case thus made by showing that his lower price or the furnishing of services or facilities to any purchaser or purchasers was made in good faith to meet an equally low price of a competitor, or the services or facilities furnished by a competitor. (See section 2 (b), Clayton Act.)

(Rule 16)

§ 206.17 *Aiding or abetting use of unfair trade practices.* It is an unfair trade practice for any person to aid, abet, coerce, or induce another, directly or indirectly, to use or promote the use of any unfair trade practice specified in this part. [Rule 17]

GROUP II

General statement. Compliance with trade practice provisions embraced in §§ 206.101 to 206.105 is considered to be conducive to sound business methods and is to be encouraged and promoted individually or through voluntary cooperation exercised in accordance with existing law. Nonobservance of such rules does not per se constitute violation of law. Where, however, the practice of not complying with §§ 206.101 to 206.105 is followed in such manner as to result in unfair methods of competition or unfair or deceptive acts or practices in commerce, corrective proceedings in respect thereto may be instituted by the Commission as in the case of violation of §§ 206.1 to 206.17.

§ 206.101 *Trade standards of quality.* The industry records its approval of the following standards of good quality:

Bulbs or bulblets shall be of one variety except when sold as a mixture; shall be clean, sound, well cured, and free from decay; shall be free from insects or noticeable damage caused by insects; and shall be free from apparent disease, cuts, or mechanical damage: *Provided, however,* That in order to allow for variations incident to grading and handling not more than 5 percent by count of the bulbs or bulblets in any lot may be below the requirements of this standard, and that any lot containing more than 2 percent "rogues" shall be classed as a mixture.

The industry offers the following definitions of common trade terms:

"Clean" means that the lot of bulbs or bulblets are reasonably free from leaves, loose husks, roots, dirt, or other foreign matter.

"Sound" means that the bulbs or bulblets have not been damaged by freezing, over-heating, or curing.

"Well-cured" means that the bulbs or bulblets are sufficiently cured at the time of shipment to assure of no appreciable loss of weight or shrinkage in size during a reasonable length of time after grading or shipment.

"Damage" means any injury which would affect the growing quality of the bulb or bulblet or appreciably detract from its appearance.

"Rogue" means any bulb or bulblet in a lot that is of a variety different from the variety purchased.

[1] As here used, the word "commerce" means "trade or commerce among the several States and with foreign nations, or between the District of Columbia or any Territory of the United States and any State, Territory, or foreign nation, or between any insular possessions or other places under the jurisdiction of the United States, or between any such possession or place and any State or Territory of the United States or the District of Columbia or any foreign nation, or within the District of Columbia or any Territory or any insular possession or other place under the jurisdiction of the United States."

Any lot of bulbs or bulblets not meeting the requirements of this section shall be classed as sub-standard quality. [Rule A]

§ 206.102 *Dissemination of credit information.* The industry records its approval of distributing to its members information covering delinquent and slow accounts insofar as this may lawfully be done. [Rule B]

§ 206.103 *Products to be sold on dry measure basis or by count.* The industry recommends that industry products be sold only on a dry measure basis or by count. [Rule C]

§ 206.104 *Bulblets to be sold separately from bulbs.* The industry recommends that in the interest of avoiding confusion and deception of purchasers, gladiolus bulblets be sold and offered for sale separately from gladiolus bulbs except when a definite number of each is stated. [Rule D]

§ 206.105 *Disclosure of size of bulbs.* It is the consensus of the industry that the size of gladiolus bulbs should be specified in all advertisements and sales promotional literature relating to such products, that such size should be the measurement of the diameter of the bulb; and that such measurement should be stated in inches (e. g., 1¼ inches, ¾ inch, etc.), it being the view of the industry that failure to disclose size, a disclosure of the circumference measurement rather than the diameter or the stating of the measurement in centimeters rather than in inches, is not in the interest of fair competition in the industry and is not in the interest of the buying public: *Provided,* That nothing in this section is intended to disapprove the practice of indicating the size of the diameter of gladiolus bulbs by number only in listings and offerings for sale confined to wholesale buyers and jobbers in accordance with the classification set forth in paragraph (c) of § 206.2. [Rule E]

Issued: January 14, 1952.

Promulgated by the Federal Trade Commission January 17, 1952.

[SEAL] D. C. DANIEL, *Secretary.*

[F. R. Doc. 52-703; Filed, Jan. 16, 1952; 8:59 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter II—The Tax Court of the United States

PART 701—RULES OF PRACTICE

MISCELLANEOUS AMENDMENTS

Amendments to Rules of Practice, as revised to November 1, 1951, prescribed pursuant to the authority contained in section 1111 of the Internal Revenue Code (53 Stat. 160).

1. In § 701.3 *Submission without hearing or appearance,* the first sentence of paragraph (a) *Submission of cases without hearing where acts are uncontested,* is amended by inserting after "stipulated", the words "established by deposition".

2. In section 701.35, *Briefs,* paragraph (d) *Number of copies,* is amended by adding the following new sentence: "An original and 4 copies shall be filed on section 722 and section 721 (a) (2) (C) issues."

(53 Stat. 160, as amended; 26 U. S. C. 1111)

Dated: January 9, 1952.

By the Court.

JOHN W. KERN, *Chief Judge.*
The Tax Court of the United States.

[F. R. Doc. 52-625; Filed, Jan. 16, 1952; 8:53 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[General Ceiling Price Regulation, Supplementary Regulation 63, Area Milk Price Regulation 9]

GCPR, SR 63—AREA MILK PRICE ADJUSTMENTS

AMPR 9—SAN DIEGO DISTRICT

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Area Milk Price Regulation pursuant to Supplementary Regulation 63 to the General Ceiling Price Regulation (16 F. R. 9559) is hereby issued.

STATEMENT OF CONSIDERATIONS

The General Ceiling Price Regulation issued on January 26, 1951, pointed out that the general freeze which it imposed on prices at all levels of production and distribution was an emergency measure made imperative by the urgency of bringing the inflationary spiral to a halt.

Under the provisions of Supplementary Regulation 16 to General Ceiling Price Regulation, prices were adjusted by the Office of Price Stabilization in several marketing areas in the State of California by two orders issued in June and August, 1951, pursuant to petitions filed by the State of California Bureau of Milk Control. The San Diego County marketing area and the Orange County marketing area were among those in which prices were so adjusted. The adjustments were based on findings by the Board that there had been increased processing and distribution costs incurred by the processors and distributors in affected marketing areas, and that there had been an increase in minimum prices required to be paid to producers. On December 20, 1951, the State Bureau of Milk Control held a joint hearing for nine Southern California marketing areas, including the two areas covered by the accompanying order, and on the basis of testimony presented by milk producers at this hearing with respect to increased cost of production, particularly of alfalfa and other dairy feeds, it appeared that a further increase in the State minimum price to producers would be necessary. Under current provisions of the General Ceiling Price Regulation, any such increased producer cost may be passed on by processors and distributors after specified rounding provisions are employed, but such a pass-through may be applied only to the individual seller's base period price under the General Ceiling Price Regulation, and not to an adjusted price such as was effected by the Letter Orders issued pursuant to Supplementary Regulation 16 in June and August of 1951. However, on September 24, 1951, Supplementary Regulation 63 became effective permitting adjustments of ceiling prices for fluid milk products in individual areas upon petition or upon the initiative of the appropriate District or Regional Director. Under the provisions of Supplementary Regulation 63, marketing areas as established by any state milk control agency may be adopted by the Office of Price Stabilization as areas to be treated separately under area milk price regulations. Pursuant to such authority, this area milk price regulation is being issued adjusting ceiling prices for two marketing areas in the San Diego District, namely, San Diego County marketing area and Orange County marketing area. A separate appendix is provided for each of these two marketing areas. Sales of milk products not covered by this regulation remain subject to the provisions of the General Ceiling Price Regulation.

The applicable laws of the State of California require that the Chief of the Bureau of Milk Control issue his findings and revised minimum prices for all sellers subject to the law within thirty days of each hearing. The District Director has determined that it was not practicable or essential to obtain and analyze all of the detailed data described in section 4 of Supplementary Regulation 63 from each processor and that, in so far as possible, conflicts between State minimum price laws and the Office of Price Stabilization maximum prices should be avoided where it appears that adjustment in minimum prices are proper and necessary pursuant to the provisions of Supplementary Regulation 63. The District Director has elected, therefore, to issue the accompanying order upon his own initiative. The Director has examined the detailed cost studies of the State Bureau of Milk Control and has independently conducted an examination of the increased costs as set forth in section 6 of Supplementary Regulation 63. To the extent practicable the District Director has consulted with representative members of the industry affected.

The facts available to the Office of Price Stabilization make it apparent that the adjustments made in margin for all types of sales in the San Diego County marketing area and in the Orange County marketing area, effected by previously issued Letter Orders under Supplementary Regulation 16, are proper and necessary under the criteria of Supplementary Regulation 63. Accordingly, these increases in margin are retained for the two subject marketing areas in the accompanying regulation.

Amendment 1 to Supplementary Regulation 63 provides that area milk regulations issued under Supplementary Regulation 63 may include provisions cover-

ing ceiling prices on sales by retail stores. These margins are to be established at the same amount in dollars and cents that accrued to retail stores immediately preceding the issuance of an applicable area milk price regulation; therefore, the historical margin for retail stores which was in effect preceding the issuance of this area milk price regulation has been retained for the two areas covered.

In the accompanying regulation the ceiling prices which it establishes have been placed in appendices, with the expectation that as provision is made for additional milk marketing areas, the prices applicable to each can be added to the regulation by use of additional appendices, each relating to but a single area. For most sales of milk products covered by this regulation, the ceiling price will be found in the appendix relating to that area, where such price is stated either in dollars-and-cents or in terms of a price differential to be added to each seller's existing ceiling prices. In a few cases resort will have to be made to other pricing provisions which will be found in the body of the order; thus, for sales to purchasers not named in an appendix a seller will find the price for the most nearly similar sale for which a price is provided and then apply the dollars-and-cents price differential which in his own selling practice he has historically applied between the two kinds of sales, this differential being the difference between his former ceiling prices for these sales. Finally, for those instances, thought to be quite infrequent, in which the price can be determined in no other way, the ceiling price will be a price which is that of the seller's closest competitor or, lacking such competitor, a price in line with those otherwise provided. These last-named prices become effective only after they have been reported to the OPS District Office for review.

Every effort has been made to conform this regulation to existing business practices, cost practices or methods, or means or aids to distribution. Insofar as any provisions of this regulation may operate to compel changes in the business practices, cost practices or methods, or means or aids to distribution, such provisions are found by the District Director of the Office of Price Stabilization to be necessary to prevent circumvention or evasion of this regulation.

In the judgment of the District Director of the Office of Price Stabilization, the provisions of this area milk regulation are generally fair and equitable and are necessary to effectuate the purpose of Title IV of the Defense Production Act of 1950, as amended by the Defense Production Act Amendments of 1951.

The District Director of the Office of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950, as amended; to prices prevailing during the period from May 24, 1950, June 24, 1950, inclusive; and to all relevant factors of general applicability.

REGULATORY PROVISIONS

Sec.
1. Ceiling prices.
2. Parity adjustments.
3. Reports.
4. Special considerations.
5. Definitions.

AUTHORITY: Sections 1 to 5 and Appendices issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101-2110. E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. *Ceiling prices.* (a) The ceiling price of a milk product sold for delivery to a purchaser located in an area described in an appendix to this regulation shall be the first of the following which is applicable:

(1) When the appendix prescribes a price for such sale: The price so prescribed.

(2) When the sale differs by type of purchaser from those sales for which such appendix prescribes a price: The price prescribed by such appendix for a sale to the most nearly similar kind of purchaser, adjusted by the dollars-and-cents difference between the seller's base period prices (as defined in section 5 of this regulation) for the kind of sale being made and the kind of sale priced by the appendix. The ceiling prices so determined shall be reported in accordance with the provisions of section 3 (a) of this regulation.

(3) When the sale cannot be priced under the foregoing: The ceiling price of the seller's most closely competitive seller of the same class (as defined in section 22 of the General Ceiling Price Regulation) for the same kind of sale, and reported by the seller (except an operator of a retail store) to the San Diego District Office in accordance with the provisions of section 3 (b) of this regulation.

(4) When the seller is unable otherwise to determine a price: A price in line with the foregoing, reported by the seller to the San Diego District Office in accordance with the provisions of section 3 (c) of this regulation.

The ceiling price so determined may not be charged unless prior to the sale it has been reported, by registered mail, return receipt requested, to the San Diego District Office of the Office of Price Stabilization.

(b) If a sale is for delivery to a purchaser located outside of the areas described in the appendices to this regulation or if the milk product sold is not covered by the applicable appendix, then this regulation shall not apply to such sale.

SEC. 2. *Parity adjustments.* The prices herein provided are based upon the producer price for raw milk specified in the applicable appendix, which price shall be used in applying the parity-adjustment provisions of section 8 of Supplementary Regulation 63.

SEC. 3. *Reports*—(a) *Reporting of differentials and prices resulting therefrom.* You shall report (1) the ceiling prices computed pursuant to section 1 (a) (2) of this regulation and section 3 of the applicable Appendix to this regulation, and (2) the differentials used in determining these ceiling prices to the San Diego District Office of the Office of Price Stabilization, 1215 7th Avenue, San Diego, Calif., by registered mail, return receipt requested, within ten days after the effective date of this regulation. This report shall be filed on OPS Public Form 123, which may be obtained from the aforementioned office. Your price lists in effect during any part or all of the GCPR base period, including the time during which they were in effect, must accompany the report, unless you have previously mailed such price lists by registered mail to the Director who is issuing this regulation. You shall not sell at the ceiling prices computed pursuant to section 1 (a) (2) of this regulation and section 3 of the applicable Appendix until the Office of Price Stabilization has received the report required by this paragraph as shown by your return postal receipt. This requirement shall not apply to operators of retail stores nor to sales for which specific dollars and cents prices have been stated in the applicable Appendix.

(b) *Report required when you use your competitor's ceiling price.* When you determine your ceiling price in accordance with section 1 (a) (3), you shall not sell until you have sent the report required below by registered mail, return receipt requested, to the District Director of the Office of Price Stabilization who issued this regulation. After OPS has received your report, as shown by your return postal receipt, you may sell the product at your proposed ceiling price unless you are notified by the District Director that your proposed ceiling price has been disapproved or that more information is required. Your report shall state the name and address of your company; the name, address, and type of business of your most closely competitive seller of the same class; your reasons for selecting him as your most closely competitive seller; and if you are starting a new business, a statement indicating whether you or the principal owner of your business has been engaged in any part of the past 12 months in any capacity in the same or similar business at any other establishment and if so, the trade name and address of each such establishment. Your report should also include the following:

(1) If you are a processor: A description of the product you are pricing; the processing involved in the production of that product; the classes of purchasers to whom you will be selling; the ceiling price of your nearest competitor, and your proposed ceiling price to each class of purchaser.

(2) If you are a distributor: A description of the product you are pricing; your net invoice cost of the commodity being priced; the names and addresses of your sources of supply; the function performed by them (e. g., processing, distributing, etc.), and the class of purchasers to whom they customarily sell; the classes of purchasers to whom you plan to sell; the ceiling price of your most closely competitive seller; your proposed ceiling price to each class of purchaser;

and a statement that your proposed ceiling prices will not exceed the ceiling price your customers paid to their customary sources of supply.

A report under this section may be filed on OPS Public Form 122, which may be obtained from the District Director of the Office of Price Stabilization who issued this regulation.

(c) *Report of sellers who price under section 1 (a) (4) of this regulation.* A report under the provisions of section 1 (a) (4) of this regulation must contain the following information: An explanation of why you are unable to determine your ceiling price under any other provision of this regulation; all pertinent information describing the product and the nature of your business; a description of the product, its butterfat content, the type and size of container in which it will be sold and the class of purchaser to whom you intend to sell; your proposed ceiling price and the method used by you to determine it, including the producer price upon which it is based; and the reason you believe the proposed ceiling price is in line with the level of ceiling prices otherwise established by this regulation.

(d) *Modification of ceiling prices reported under this section.* The District Director of the Office of Price Stabilization may at any time disapprove or revise downward ceiling prices reported under this section so as to bring them in line with the level of ceiling prices otherwise established under this regulation.

SEC. 4. *Special conditions.* Each seller must maintain the conditions and terms of sale he had in effect during the period December 19, 1950, through January 25, 1951, and observe the following provisions of the General Ceiling Price Regulation:

Section 2 (c): Prohibitions.
Section 16: Records.
Section 17: Sales slips and receipts.
Section 18: Evasion.
Section 19: Transfers of business or stock in trade.
Section 21: Penalties.

SEC. 5. *Definitions.* When used in this order or an appendix thereto "Base period price" means the seller's ceiling price, as determined under section 3 of the General Ceiling Price Regulation, excluding any increases attributable to section 11 of that regulation (parity increases) or orders issued under Supplementary Regulation 16.

Effective date. This regulation is effective on January 16, 1952.

NOTE: The reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

WM. C. MOESER,
Director, San Diego District Office.

JANUARY 15, 1952.

APPENDIX I—SAN DIEGO COUNTY MARKETING AREA

This appendix provides ceiling prices for milk and cream (excluding sour cream and cottage cheese) in the San Diego County Marketing Area, which is defined below.

1. For standard milk (including homogenized) the ceiling prices are as follows:

Size of container	Wholesale, f. o. b. purchaser's business location	Retail store, carry-out	Retail, home-delivered	Retail, f. o. b. distributor's processing plant	Retail, f. o. b. producer's ranch
10 gallons or more, bulk per gallon	$0.68				
5 gallons and less than 10 gallons, bulk, per gallon	.69				
1 gallon and less than 5 gallons, bulk, per gallon	.70				
Gallon bottle	.79	$0.88	$0.92	$0.84	$0.78
Half-gallon container (fibre or glass)	.395	.44	.46	.42	.39
Quart container (fibre or glass)	.1975	.22	.23	.21	.195
Pint container (fibre or glass)	.11	.13	.14	.125	
Third-quart or three-quarter-pint container (fibre or glass)	.079				
Half-pint container (fibre or glass)	.068				

2. For the following items the ceiling price is the base period price plus the following additions:

Type of sale	Container size				
	Per gallon bulk	½ gallon	Quart	Pint	½ pint
Half and half	$0.16	$0.08	$0.04	$0.02	$0.01
Table cream	.32	.16	.08	.04	.02
All-purpose cream	.40	.20	.10	.05	.025
Whipping cream	.40	.20	.10	.05	.025
Non-fat milk	.04	.02	.01	.005	.0025
Chocolate drink	.04	.02	.01	.005	.0025
Buttermilk	.04	.02	.01	.005	.0025

3. For other kinds of fluid milk (such as special grades of milk) for which the seller had a base period price different from that for standard milk, the ceiling price shall be the price stated above for standard milk in the same sized container plus or minus, as the case may be, the dollars-and-cents difference between such base period prices. Ceiling prices so determined shall be reported in accordance with section 3 (a) of this regulation.

4. The prices herein provided are based upon a producer paying price of $6.15 per hundredweight of milk containing 3.8 percent milk fat for Class 1 fluid milk purchased f. o. b. processor's plant, subject to the deductions and additions set forth in provision 1 of section A of article I, of San Diego County Order No. 37 issued by the State of California Bureau of Milk Control effective January 16, 1952.

5. "San Diego County Marketing Area" means that area as defined in said San Diego County Order No. 37.

APPENDIX II—ORANGE COUNTY MARKETING AREA

This appendix provides ceiling prices for milk and cream (excluding sour cream and cottage cheese) in the Orange County Marketing Area, which is defined below.

1. For standard milk (including homogenized) the ceiling prices are as follows:

Size of container	Wholesale, f. o. b. purchaser's business location	Retail store, carry-out	Retail, home-delivered	Retail, f. o. b. distributor's processing plant	Retail, f. o. b. producer's ranch
10 gallons or more, bulk per gallon	$0.71				
5 gallons and less than 10 gallons, bulk, per gallon	.72				
1 gallon and less than 5 gallons, bulk, per gallon	.73				
Gallon bottle	.78	$0.88	$0.92	$0.84	$0.78
Half-gallon container (fiber or glass)	.39	.44	.46	.42	.39
Quart container (fiber or glass)	.195	.22	.23	.21	.195
Pint container (fiber or glass)	.11	.125	.135		.115
Third-quart or three quarter-pint container (fiber or glass)	.077				
Half-pint container (fiber or glass)	.066				

2. For the following items the ceiling price is the base period price plus the following additions:

Type of sale	Container size				
	Per gallon	½ gallon	Quart	Pint	½ pint
Half and half	$0.16	$0.08	$0.04	$0.02	$0.01
Table cream	.32	.16	.08	.04	.02
All-purpose cream	.40	.20	.10	.05	.025
Whipping cream	.40	.20	.10	.05	.025
Non-fat milk	.04	.02	.01	.005	.0025
Chocolate drink	.04	.02	.01	.005	.0025
Buttermilk	.04	.02	.01	.005	.0025

3. For other kinds of fluid milk (such as special grades of milk) for which the seller had a base period price different from that for standard milk, the ceiling price shall be the price stated above for standard milk in the same sized container plus or minus, as the case may be, the dollars-and-cents difference between such base period prices. Ceiling prices so determined shall be reported in accordance with section 3 (a) of this regulation.

4. The prices herein provided are based upon a producer paying price of $6.05 per hundredweight of milk containing 3.8 percent milk fat for class 1 fluid milk purchased f. o. b. processor's plant, subject to the deduc-

tions and additions set forth in provision 1 of section A of article I, of Orange County Order No. 41 issued by the State of California Bureau of Milk Control effective January 16, 1952.

5. "Orange County Marketing Area" means that area as defined in said Orange County Order No. 41.

[F. R. Doc. 52-711; Filed, Jan. 15, 1952; 5:00 p. m.].

[General Ceiling Price Regulation, Supplementary Regulation 63, Area Milk Price Regulation 10]

GCPR, SR 63—AREA MILK PRICE ADJUSTMENTS

AMPR 10—LOS ANGELES COUNTY MARKETING AREA, CALIFORNIA

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Area Milk Price Regulation pursuant to Supplementary Regulation 63 to the General Ceiling Price Regulation (16 F. R. 9559) is hereby issued.

STATEMENT OF CONSIDERATIONS

The General Ceiling Price Regulation issued on January 26, 1951, pointed out that the general freeze which it imposed on prices at all levels of production and distribution was an emergency measure made imperative by the urgency of bringing the inflationary spiral to a halt.

Under the provisions of Supplementary Regulation 16 to the General Ceiling Price Regulation, prices were adjusted by the Office of Price Stabilization in several marketing areas in the State of California by two orders issued in June and August, 1951, pursuant to petitions filed by the State of California Bureau of Milk Control. The Los Angeles County Marketing Area was among those in which prices were so adjusted. The adjustments were based on findings by the Board that there had been increased processing and distribution costs incurred by the processors and distributors in affected marketing areas, and that there had been an increase in minimum prices required to be paid to producers. On December 20, 1951, the State Bureau of Milk Control held a joint hearing for nine Southern California marketing areas, including the area covered by the accompanying order, and on the basis of testimony presented by milk producers at this hearing with respect to increased costs of production, particularly of alfalfa and other dairy feeds, it appeared that a further increase in the State minimum price to producers would be necessary. Under current provisions of the General Ceiling Price Regulation, any such increased producer cost may be passed on by processors and distributors after specified rounding provisions are employed, but such a pass-through may be applied only to the individual seller's base period price under the General Ceiling Price Regulation, and not to an adjusted price such as was effected by the orders issued pursuant to Supplementary Regulation 16 in June and August of 1951. However, on September 24, 1951, Supplementary Regulation 63 became effective permitting adjustments of ceiling prices for fluid milk products in individual areas upon petition or upon the initiative of the appropriate District or Regional Director. Under the provisions of Supplementary Regulation 63, marketing areas as established by any state milk control agency may be adopted by the Office of Price Stabilization as areas to be treated separately under area milk price regulations. Pursuant to such authority, this area milk price regulation is being issued adjusting ceiling prices for the Los Angeles County Marketing Area. Sales of milk products not covered by this regulation remain subject to the provisions of the General Ceiling Price Regulation.

The applicable laws of the State of California require that the Chief of the Bureau of Milk Control issue his findings and revised minimum prices for all sellers subject to the law within thirty days of each hearing. The District Director has determined that it was not practicable or essential to obtain and analyze all of the detailed data described in section 4 of Supplementary Regulation 63 from each processor and that, insofar as possible, conflicts between State minimum price laws and the Office of Price Stabilization maximum prices should be avoided where it appears that adjustments in minimum prices are proper and necessary pursuant to the provisions of Supplementary Regulation 63. The District Director has elected, therefore, to issue the accompanying order upon his own initiative. The Director has examined the detailed cost studies of the State Bureau of Milk Control and has independently conducted an examination of the increased costs as set forth in section 6 of Supplementary Regulation 63.

The facts available to the Office of Price Stabilization make it apparent that the adjustment made in the margin for home delivered sales, effected by a previously issued order under Supplementary Regulation 16, is proper and necessary under the criteria of Supplementary Regulation 63. Accordingly, this increase in processor's and distributor's base period margins on home delivered sales is retained in the present order for the Los Angeles County Marketing Area.

With regard to the marginal adjustments affecting processors and distributors on their wholesale sales, all data submitted by the industry and otherwise available to the Office of Price Stabilization indicate that the increase is no longer proper or necessary under the criteria of Supplementary Regulation 63 for the processors and distributors located in the Los Angeles County Marketing Area. Current trends of distribution cost are such that volume is declining on home delivery routes and increasing materially on wholesale routes. The effect of these trends is to magnify the impact on a per unit basis with respect to home delivered routes and to reduce or eliminate the impact of the same sorts of cost increases on wholesale routes. This result is particularly apparent in the Los Angeles County Marketing Area and the margin adjustments previously effected under Supplementary Regulation 16 are not continued in the accompanying area regulation.

Amendment 1 to Supplementary Regulation 63 provides that area milk regulations issued under Supplementary Regulation 63 may include provisions covering ceiling prices on sales by retail stores. These margins are to be established at the same amount in dollars and cents that accrued to retail stores immediately preceding the issuance of an applicable area milk price regulation. The margins for retail stores have historically remained constant on a dollars and cents basis and were affected primarily by fractional cent pricing for sales to such stores. Since June 1951 the margin for retail stores has been 2½ cents per quart but for approximately three years preceding that time the margin was 2¼ cents per quart. The accompanying order establishes a price of 18¾ cents per quart to retail stores and the addition of the retail store margin produces a price of 21 cents per quart when customary practices of rounding fractional cents are followed. The margin for the retail store is, therefore 2¼ cents per quart and is in line with historical margins.

In the accompanying regulation the ceiling prices which it establishes have been placed in an appendix. For most sales of milk products covered by this regulation, the ceiling price will be found in the appendix where such price is stated either in dollars-and-cents or in terms of a price differential to be added to each seller's existing ceiling prices. In a few cases resort will have to be made to other pricing provisions which will be found in the body of the order; thus, for types of sales not described in the appendix a seller will find the price for the most nearly similar sale for which a price is provided and then apply the dollars-and-cents price differential which in his own selling practice he has historically applied between the two kinds of sales, this differential being the difference between his former ceiling prices for these sales. Finally, for those instances, thought to be quite infrequent, in which the price can be determined in no other way, the ceiling price will be a price which is that of the seller's closest competitor or, lacking such competitor, a price in line with those otherwise provided. These last-named prices become effective only after they have been reported to the OPS District Office for review.

Every effort has been made to conform this regulation to existing business practices, cost practices or methods, or means or aids to distribution. Insofar as any provisions of this regulation may operate to compel changes in the business practices, cost practices or methods, or means or aids to distribution, such provisions are found by the District Director of the Office of Price Stabilization to be necessary to prevent circumvention or evasion of this regulation.

In the judgment of the District Director of the Office of Price Stabilization, the provisions of this Area Milk Regulation are generally fair and equitable and are necessary to effectuate the purpose of Title IV of the Defense Production Act of 1950, as amended by the

Defense Production Act Amendments of 1951.

The District Director of the Office of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950, as amended, to prices prevailing during the period from May 24, 1950, June 24, 1950, inclusive; and to all relevant factors of general applicability.

The Director has consulted the industry to the extent practicable and has given due consideration to its recommendations.

REGULATORY PROVISIONS

Sec.
1. Ceiling prices.
2. Parity adjustments.
3. Reports.
4. Special considerations.
5. Definitions.

AUTHORITY: Sections 1 to 5 and Appendices issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101–2110. E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. *Ceiling prices.* (a) The ceiling price of a milk product sold for delivery to a purchaser located in an area described in an appendix to this regulation shall be the first of the following which is applicable:

(1) When the appendix prescribes a price for such sale: The price so prescribed.

(2) When the sale differs by type of purchaser from those sales for which such appendix prescribes a price: The price prescribed by such appendix for a sale to the most nearly similar kind of purchaser, adjusted by the dollars-and-cents difference between the seller's base period prices (as defined in section 5 of this regulation) for the kind of sale being made and the kind of sale priced by the appendix. The ceiling prices so determined shall be reported in accordance with the provisions of section 3 (a) of this regulation.

(3) When the sale cannot be priced under the foregoing: The ceiling price of the seller's most closely competitive seller of the same class (as defined in section 22 of the General Ceiling Price Regulation) for the same kind of sale, and reported by the seller (except an operator of a retail store) to the Los Angeles District Office in accordance with the provisions of section 3 (b) of this regulation.

(4) When the seller is unable otherwise to determine a price; A price in line with the foregoing, reported by the seller to the Los Angeles District Office in accordance with the provisions of section 3 (c) of this regulation.

The ceiling price so determined may not be charged unless prior to the sale it has been reported, by registered mail, return receipt requested, to the (Los Angeles) District Office of the Office of Price Stabilization.

(b) If a sale is for delivery to a purchaser located outside of the areas described in the appendices to this regulation or if the milk product sold is not covered by the applicable appendix, then this regulation shall not apply to such sale.

SEC. 2. *Parity adjustments.* The prices herein provided are based upon the producer price for raw milk specified in the applicable appendix, which price shall be used in applying the parity-adjustment provisions of section 8 of Supplementary Regulation 63.

SEC. 3. *Reports*—(a) *Reporting of differentials and prices resulting therefrom.* You shall report (1) the ceiling prices computed pursuant to section 1 (a) (2) of this regulation and section 3 of the applicable Appendix to this regulation, and (2) the differentials used in determining these ceiling prices to the Los Angeles District Office, 108 West Sixth Street, Los Angeles, Calif., by registered mail, return receipt requested, within ten days after the effective date of this regulation. This report shall be filed on OPS Public Form 123, which may be obtained from the afore-mentioned office. Your price lists in effect during any part or all of the GCPR base period, including the time during which they were in effect, must accompany the report, unless you have previously mailed such price lists by registered mail to the Director who is issuing this regulation. You shall not sell at the ceiling prices computed pursuant to section 1 (a) (2) of this regulation and section 3 of the applicable Appendix until the Office of Price Stabilization has received the report required by this paragraph as shown by your return postal receipt. This requirement shall not apply to operators of retail stores nor to sales for which specific dollars and cents prices have been stated in the applicable Appendix.

(b) *Report required when you use your competitor's ceiling price.* When you determine your ceiling price in accordance with section 1 (a) (3), you shall not sell until you have sent the report required below by registered mail, return receipt requested, to the District Director of the Office of Price Stabilization who issued this regulation. After OPS has received your report, as shown by your return postal receipt, you may sell the product at your proposed ceiling price unless you are notified by the District Director that your proposed ceiling price has been disapproved or that more information is required. Your report shall state the name and address of your company; the name, address, and type of business of your most closely competitive seller of the same class; your reasons for selecting him as your most closely competitive seller; and if you are starting a new business, a statement indicating whether you or the principal owner of your business has been engaged in any part of the past 12 months in any capacity in the same or similar business at any other establishment and if so, the trade name and address of each such establishment. Your report should also include the following:

(1) If you are a processor: A description of the product you are pricing; the processing involved in the production of that product; the classes of purchasers to whom you will be selling; the ceiling price of your nearest competitor, and your proposed ceiling price to each class of purchaser.

(2) If you are a distributor: A description of the product you are pricing; your net invoice cost of the commodity being priced; the names and addresses of your sources of supply; the function performed by them (e. g., processing, distributing, etc.), and the class of purchasers to whom they customarily sell; the classes of purchasers to whom you plan to sell; the ceiling price of your most closely competitive seller; your proposed ceiling price to each class of purchaser; and a statement that your proposed ceiling prices will not exceed the ceiling price your customers paid to their customary sources of supply.

A report under this section may be filed on OPS Public Form 122, which may be obtained from the District Director of the Office of Price Stabilization who issued this regulation.

(c) *Report of sellers who price under section 1 (a) (4) of this regulation.* A report under the provisions of section 1 (a) (4) of this regulation must contain the following information: An explanation of why you are unable to determine your ceiling price under any other provision of this regulation; all pertinent information describing the product and the nature of your business; a description of the product, its butterfat content, the type and size of container in which it will be sold and the class of purchaser to whom you intend to sell; your proposed ceiling price and the method used by you to determine it, including the producer price upon which it is based; and the reason you believe the proposed ceiling price is in line with the level of ceiling prices otherwise established by this regulation.

(d) *Modification of ceiling prices reported under this section.* The District Director of the Office of Price Stabilization may at any time disapprove or revise downward ceiling prices reported under this section so as to bring them in line with the level of ceiling prices otherwise established under this regulation.

SEC. 4. *Special conditions.* Each seller must maintain the conditions and terms of sale he had in effect during the period December 19, 1950, through January 25, 1951, and observe the following provisions of the General Ceiling Price Regulation:

Section 2 (c): Prohibitions.
Section 16: Records.
Section 17: Sales slips and receipts.
Section 18: Evasion.
Section 19: Transfers of business or stock in trade.
Section 21: Penalties.

SEC. 5. *Definitions.* When used in this order or an appendix thereto "Base period price" means the seller's ceiling price, as determined under Section 3 of the General Ceiling Price Regulation, excluding any increases attributable to section 11 of that regulation (parity increases) or orders issued under Supplementary Regulation 16.

Effective date. This regulation is effective on January 16, 1952.

NOTE: The reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

GEORGE J. SEROS,
Acting Director,
Los Angeles District Office.

JANUARY 15, 1952.

APPENDIX I—LOS ANGELES COUNTY MARKETING AREA

This appendix provides ceiling prices for milk and cream (excluding sour cream and cottage cheese) in the Los Angeles County Marketing Area which is defined below.

1. For standard milk (including homogenized) the ceiling prices are as follows:

Size of container	Wholesale, f. o. b. purchaser's business location	Retail store, carry-out	Retail, home-delivered	Retail, f. o. b. distributor's processing plant	Retail, f. o. b. producer's ranch
10 gallons or more, bulk per gallon	$0.63				
5 gallons and less than 10 gallons, bulk, per gallon	.69				
1 gallon and less than 5 gallons, bulk, per gallon	.70				
Gallon bottle	.70	$0.86	$0.90	$0.82	$.70
Half-gallon container (fiber or glass)	.375	.42	.45	.40	.37
Quart container (fiber or glass)	.1875	.21	.225	.20	.185
Pint container (fiber or glass)	.1075	.12	.13		.11
Third-quart or three quarter-pint container (fiber or glass)	.075				
Half-pint container (fiber or glass)	.063				

2. For the following items the ceiling price is the base period price plus the following additions:

Type of sale	Container size				
	Per gallon bulk	½ gallon	Quart	Pint	½ pint
Half and half	$0.16	$0.08	$0.04	$0.02	$0.01
Table cream	.32	.16	.08	.04	.02
All-purpose cream	.40	.20	.10	.05	.025
Whipping cream	.40	.20	.10	.05	.025
Non-fat milk	.04	.02	.01	.005	.0025
Chocolate drink	.04	.02	.01	.005	.0025
Buttermilk	.04	.02	.01	.005	.0025

3. For other kinds of fluid milk (such as special grades of milk) for which the seller had a base period price different from that for standard milk, the ceiling price shall be the price stated above for standard milk in the same sized container plus or minus, as the case may be, the dollars-and-cents difference between such base period prices. The ceiling prices so determined shall be reported in accordance with section 3 (a) of this regulation.

4. The prices herein provided are based upon a producer paying price of $6.05 per hundredweight of milk containing 3.8 percent milk fat for Class 1 fluid milk purchased f. o. b. processor's plant, subject to the deductions and additions set forth in provision 1 of section A of article I, of Los Angeles County Order 47 issued by the State of California Bureau of Milk Control effective January 16, 1952.

5. "Los Angeles County Marketing Area" means that area as defined in said Los Angeles County Order No. 47.

[F. R. Doc. 52-712; Filed, Jan. 15, 1952; 5:00 p. m.]

[General Ceiling Price Regulation, Supplementary Regulation 63, Area Milk Price Regulation 11]

GCPR, SR 63—AREA MILK PRICE ADJUSTMENTS

AMPR 11—LOS ANGELES DISTRICT (OTHER THAN LOS ANGELES COUNTY MARKETING AREA)

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Area Milk Price Regulation pursuant to Supplementary Regulation 63 to the General Ceiling Price Regulation (16 F. R. 9559) is hereby issued.

STATEMENT OF CONSIDERATIONS

The General Ceiling Price Regulation issued on January 26, 1951, pointed out that the general freeze which it imposed on prices at all levels of production and distribution was an emergency measure made imperative by the urgency of bringing the inflationary spiral to a halt.

Under the provisions of Supplementary Regulation 16 to General Ceiling Price Regulation, prices were adjusted by the Office of Price Stabilization in several marketing areas in the State of California by two orders issued in June and August, 1951, pursuant to petitions filed by the State of California Bureau of Milk Control. The San Bernardino-Riverside marketing area and the Ventura marketing area were among those in which prices were so adjusted. The adjustments were based on findings by the Board that there had been increased processing and distribution costs incurred by the processors and distributors in affected marketing areas, and that there had been an increase in minimum prices required to be paid to producers. On December 20, 1951, the State Bureau of Milk Control held a joint hearing for nine Southern California marketing areas, including the two areas covered by the accompanying order, and on the basis of testimony presented by milk producers at this hearing with respect to increased cost of production, particularly of alfalfa and other dairy feeds, it appeared that a further increase in the State minimum price to producers would be necessary. Under current provisions of the General Ceiling Price Regulation, any such increased producer cost may be passed on by processors and distributors after specified rounding provisions are employed, but such a pass-through may be applied only to the individual seller's base period price under the General Ceiling Price Regulation, and not to an adjusted price such as was effected by the orders issued pursuant to Supplementary Regulation 16 in June and August of 1951. However, on September 24, 1951, Supplementary Regulation 63 became effective permitting adjustments of ceiling prices for fluid milk products in individual areas upon petition or upon the initiative of the appropriate District of Regional Director. Under the provisions of Supplementary Regulation 63, marketing areas as established by any state milk control agency may be adopted by the Office of Price Stabilization as areas to be treated separately under area milk price regulations. Pursuant to such authority, this area milk price regulation is being issued adjusting ceiling prices for two marketing areas in the Los Angeles District, namely, San Bernardino-Riverside marketing area and Ventura marketing area. A separate appendix is provided for each of these two marketing areas. Sales of milk products not covered by this regulation remain subject to the provisions of the General Ceiling Price Regulation.

The applicable laws of the State of California require that the Chief of the Bureau of Milk Control issue his findings and revised minimum prices for all sellers subject to the law within thirty days of each hearing. The District Director has determined that it was not practicable or essential to obtain and analyze all of the detailed data described in Section 4 of Supplementary Regulation 63 from each processor and that, in so far as possible, conflicts between State minimum price laws and the Office of Price Stabilization maximum prices should be avoided where it appears that adjustment in minimum prices are proper and necessary pursuant to the provisions of Supplementary Regulation 63. The District Director has elected, therefore, to issue the accompanying order upon his own initiative. The Director has examined the detailed cost studies of the State Bureau of Milk Control and has independently conducted an examination of the increased costs as set forth in section 6 of Supplementary Regulation 63.

The facts available to the Office of Price Stabilization make it apparent that the adjustments made in margin for all types of sales in the San Bernardino-Riverside marketing area and in the Ventura marketing area, effected by previously issued orders under Supplementary Regulation 16, are proper and necessary under the criteria of Supplementary Regulation 63. Accordingly, these increases in margin are retained for the two subject marketing areas in the accompanying regulation.

Amendment 1 to Supplementary Regulation 63 provides that area milk reg-

ulations issued under Supplementary Regulation 63 may include provisions covering ceiling prices on sales by retail stores. These margins are to be established at the same amount in dollars and cents that accrued to retail stores immediately preceding the issuances of an applicable area milk price regulation; therefore, the historical margin for retail stores which was in effect preceding the issuance of this area milk price regulation has been retained for the two areas covered.

In the accompanying regulation the ceiling prices which it establishes have been placed in appendices, with the expectation that as provision is made for additional milk marketing areas, the prices applicable to each can be added to the regulation by use of additional appendices, each relating to but a single area. For most sales of milk products covered by this regulation, the ceiling price will be found in the appendix relating to that area, where such price is stated either in dollars-and-cents or in terms of a price differential to be added to each seller's existing ceiling prices. In a few cases resort will have to be made to other pricing provisions which will be found in the body of the order; thus, for sales to purchasers not named in an appendix a seller will find the price for the most nearly similar sale for which a price is provided and then apply the dollars-and-cents price differential which in his own selling practice he has historically applied between the two kinds of sales, this differential being the difference between his former ceiling prices for these sales. Finally, for those instances, thought to be quite infrequent, in which the price can be determined in no other way, the ceiling price will be a price which is that of the seller's closest competitor or lacking such competitor, a price in line with those otherwise provided. These last-named prices, become effective only after they have been reported to the OPS District Office for review.

Every effort has been made to conform this regulation to existing business practices, cost practices or methods, or means or aids to distribution. Insofar as any provisions of this regulation may operate to compel changes in the business practices, cost practices or methods, or means or aids to distribution, such provisions are found by the District Director of the Office of Price Stabilization to be necessary to prevent circumvention or evasion of this regulation.

In the judgment of the District Director of the Office of Price Stabilization, the provisions of this area milk regulation are generally fair and equitable and are necessary to effectuate the purpose of Title IV of the Defense Production Act of 1950, as amended by the Defense Production Act Amendments of 1951.

The District Director of the Office of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950, as amended; to prices prevailing during the period from May 24, 1950, June 24, 1950, inclusive; and to all relevant factors of general applicability.

REGULATORY PROVISIONS

Sec.
1. Ceiling prices.
2. Parity adjustments.
3. Reports.
4. Special considerations.
5. Definitions.

AUTHORITY: Sections 1 to 5 and Appendices issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101–2110. E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. *Ceiling prices.* (a) The ceiling price of a milk product sold for delivery to a purchaser located in an area described in an appendix to this regulation shall be the first of the following which is applicable:

(1) When the appendix prescribes a price for such sale: The price so prescribed.

(2) When the sale differs by type of purchaser from those sales for which such appendix prescribes a price: The price prescribed by such appendix for a sale to the most nearly similar kind of purchaser, adjusted by the dollars-and-cents difference between the seller's base period prices (as defined in section 5 of this regulation) for the kind of sale being made and the kind of sale priced by the appendix. The ceiling prices so determined shall be reported in accordance with the provisions of section 3 (a) of this regulation.

(3) When the sale cannot be priced under the foregoing: The ceiling price of the seller's most closely competitive seller of the same class (as defined in section 22 of the General Ceiling Price Regulation) for the same kind of sale, and reported by the seller (except an operator of a retail store) to the Los Angeles District Office in accordance with the provisions of section 3 (b) of this regulation.

(4) When the seller is unable otherwise to determine a price; A price in line with the foregoing, reported by the seller to the Los Angeles District Office in accordance with the provisions of section 3 (c) of this regulation.

The ceiling price so determined may not be charged unless prior to the sale it has been reported, by registered mail, return receipt requested, to the Los Angeles District Office of the Office of Price Stabilization.

(b) If a sale is for delivery to a purchaser located outside of the areas described in the appendices to this regulation or if the milk product sold is not covered by the applicable appendix, then this regulation shall not apply to such sale.

SEC. 2. *Parity adjustments.* The prices herein provided are based upon the producer price for raw milk specified in the applicable appendix, which price shall be used in applying the parity-adjustment provisions of section 8 of Supplementary Regulation 63.

SEC. 3. *Reports*—(a) *Reporting of differentials and prices resulting therefrom.* You shall report (1) the ceiling prices computed pursuant to section 1 (a) (2), of this regulation and section 3 of the applicable Appendix to this regulation, and (2) the differentials used in determining these ceiling prices to the Los Angeles District Office, 108 W. Sixth St., Los Angeles, Calif., by registered mail, return receipt requested, within ten days after the effective date of this regulation. This report shall be filed on OPS Public Form 123, which may be obtained from the afore-mentioned office. Your price lists in effect during any part or all of the GCPR base period, including the time during which they were in effect, must accompany the report, unless you have previously mailed such price lists by registered mail to the Director who is issuing this regulation. You shall not sell the ceiling prices computed pursuant to section 1 (a) (2) of this regulation and section 3 of the applicable Appendix until the Office of Price Stabilization has received the report required by this paragraph as shown by your return postal receipt. This requirement shall not apply to operators of retail stores nor to sales for which specific dollars and cents prices have been stated in the applicable Appendix.

(b) *Report required when you use your competitor's ceiling price.* When you determine your ceiling price in accordance with section 1 (a) (3), you shall not sell until you have sent the report required below by registered mail, return receipt requested, to the District Director of the Office of Price Stabilization who issued this regulation. After OPS has received your report, as shown by your return postal receipt, you may sell the product at your proposed ceiling price unless you are notified by the District Director that your proposed ceiling price has been disapproved or that more information is required. Your report shall state the name and address of your company; the name, address, and type of business of your most closely competitive seller of the same class; your reasons for selecting him as your most closely competitive seller; and if you are starting a new business, a statement indicating whether you or the principal owner of your business has been engaged in any part of the past 12 months in any capacity in the same or similar business at any other establishment and if so, the trade name and address of each such establishment. Your report should also include the following:

(1) If you are a processor: A description of the product you are pricing; the processing involved in the production of that product; the classes of purchasers to whom you will be selling; the ceiling price of your nearest competitor, and your proposed ceiling price to each class of purchaser.

(2) If you are a distributor: A description of the product you are pricing; your net invoice cost of the commodity being priced; the names and addresses of your sources of supply; the function performed by them (e. g., processing, distributing, etc.), and the class of purchasers to whom they customarily sell; the classes of purchasers to whom you plan to sell; the ceiling price of your most closely competitive seller; your proposed ceiling price to each class of purchaser; and a statement that your proposed ceiling prices will not exceed the

ceiling price your customers paid to their customary sources of supply.

A report under this section may be filed on OPS Public Form 122, which may be obtained from the District Director of the Office of Price Stabilization who issued this regulation.

(c) *Report of sellers who price under section 1 (a) (4) of this regulation.* A report under the provisions of Section 1 (a) (4) of this regulation must contain the following information: An explanation of why you are unable to determine your ceiling price under any other provision of this regulation; all pertinent information describing the product and the nature of your business; a description of the product, its butterfat content, the type and size of container in which it will be sold and the class of purchaser to whom you intend to sell; your proposed ceiling price and the method used by you to determine it, including the producer price upon which it is based; and the reason you believe the proposed ceiling price is in line with the level of ceiling prices otherwise established by this regulation.

(d) *Modification of ceiling prices reported under this section.* The District Director of the Office of Price Stabilization may at any time disapprove or revise downward ceiling prices reported under this section so as to bring them in line with the level of ceiling prices otherwise established under this regulation.

SEC. 4. *Special conditions.* Each seller must maintain the conditions and terms of sale he had in effect during the period December 19, 1950, through January 25, 1951, and observe the following provisions of the General Ceiling Price Regulation:

Section 2 (c): Prohibitions.
Section 16: Records.
Section 17: Sales slips and receipts.
Section 18: Evasion.
Section 19: Transfers of business or stock in trade.
Section 21: Penalties.

SEC. 5. *Definitions.* When used in this order or an appendix thereto "Base period price" means the seller's ceiling price, as determined under section 3 of the General Ceiling Price Regulation, excluding any increases attributable to section 11 of that regulation (parity increases) or orders issued under Supplementary Regulation 16.

Effective date. This regulation is effective on January 16, 1952.

NOTE: The reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

GEORGE J. SEROS,
Acting Director,
Los Angeles District Office.

JANUARY 15, 1952.

APPENDIX I—SAN BERNARDINO-RIVERSIDE MARKETING AREA

This appendix provides ceiling prices for milk and cream (excluding sour cream and cottage cream cheese) in the San Bernardino-Riverside Marketing Area, which is defined below:

1. For standard milk (including homogenized) the ceiling prices are as follows:

Size of container	Wholesale, f. o. b. purchaser's business location	Retail store, carry-out	Retail, home-delivered	Retail, f. o. b. distributor's processing plant	Retail, f. o. b. producer's ranch
10 gallons or more, bulk per gallon	$0.71				
5 gallons and less than 10 gallons, bulk, per gallon	.72				
1 gallon and less than 5 gallons, bulk, per gallon	.73				
Gallon bottle	.79	$0.83	$0.92	$0.84	$0.73
Half-gallon container (fibre or glass)	.535	.44	.46	.42	.39
Quart container (fibre or glass)	.1075	.22	.23	.21	.195
Pint container (fibre or glass)	.11	.13	.14		.12
Third-quart or three quarter-pint container (fibre or glass)	.079				
Half-pint container (fibre or glass)	.063				

2. For the following items the ceiling price is the base period price plus the following additions:

Type of sale	Container size				
	Per gallon	½ gallon	Quart	Pint	½ pint
Half and half	$0.10	$0.03	$0.04	$0.02	$0.01
Table cream	.32	.16	.08	.04	.02
All-purpose cream	.40	.20	.10	.05	.025
Whipping cream	.40	.20	.10	.05	.025
Non-fat milk	.04	.02	.01	.005	.0025
Chocolate drink	.04	.02	.01	.005	.0025
Buttermilk	.04	.02	.01	.005	.0025

3. For other kinds of fluid milk (such as special grades of milk) for which the seller had a base period price different from that for standard milk, the ceiling price shall be the price stated above for standard milk in the same sized container plus or minus, as the case may be, the dollars-and-cents difference between such base period prices. The ceiling prices so determined shall be reported, in accordance with section 3 (a) of this regulation.

4. The prices herein provided are based upon a producer paying price of $6.05 per hundredweight of milk containing 3.8 percent milk fat for Class 1 fluid milk purchased f. o. b. processor's plant, subject to the deductions and additions set forth in provision 1 of section A of article I of San Bernardino-Riverside Order No. 37 issued by the State of California Bureau of Milk Control effective January 16, 1952.

5. "San Bernardino-Riverside Marketing Area" means that area as defined in said San Bernardino-Riverside Order No. 37.

APPENDIX II—VENTURA COUNTY MARKETING AREA

This appendix provides ceiling prices for milk and cream (excluding sour cream and cottage cheese) in the Ventura County Marketing Area, which is defined below.

1. For standard milk (including homogenized) the ceiling prices are as follows:

Size of container	Wholesale, f. o. b. purchaser's business location	Retail store, carry-out	Retail, home-delivered	Retail, f. o. b. distributor's processing plant	Retail, f. o. b. producer's ranch
10 gallons or more, bulk per gallon	$0.73				
5 gallons and less than 10 gallons, bulk, per gallon	.74				
1 gallon and less than 5 gallons, bulk, per gallon	.75				
Gallon bottle	.89	$0.83	$0.92	$0.84	$0.78
Half-gallon container (fiber or glass)	.49	.44	.46	.42	.39
Quart container (fiber or glass)	.20	.22	.23	.21	.195
Pint container (fiber or glass)	.1125	.125	.135		.115
Third-quart or three quarter-pint container (fiber or glass)	.03				
Half-pint container (fiber or glass)	.060				

2. For the following items the ceiling price is the base period price plus the following additions:

Type of sale	Container size				
	Per gallon bulk	½ gallon	Quart	Pint	½ pint
Half and half	$0.10	$0.03	$0.04	$0.02	$0.01
Table cream	.32	.16	.08	.04	.02
All-purpose cream	.40	.20	.10	.05	.025
Whipping cream	.40	.20	.10	.05	.025
Non-fat milk	.04	.02	.01	.005	.0025
Chocolate drink	.04	.02	.01	.005	.0025
Buttermilk	.04	.02	.01	.005	.0025

3. For other kinds of fluid milk (such as special grades of milk) for which the seller had a base period price different from that for standard milk, the ceiling price shall be the price stated above for standard milk in the same sized container plus or minus, as the case may be, the dollars-and-cents difference between such base period prices. The ceiling prices so determined shall be reported in accordance with section 3 (a) of this regulation.

4. The prices herein provided are based upon a producer paying price of $6.06 per hundredweight of milk containing 3.8 percent milk fat for Class 1 fluid milk purchased f. o. b. processor's plant, subject to the deductions and additions set forth in provision 1 of section A of article I of Ventura County

Order No. 33 issued by the State of California Bureau of Milk Control effective January 16, 1952.

5. "Ventura County Marketing Area" means that area as defined in said Ventura County Order No. 33.

[F. R. Doc. 52-713; Filed, Jan. 15, 1952; 5:01 p. m.]

Chapter VIII—Defense Transport Administration

[General Order DTA 2, Amdt. 1]

DTA 2—Preference and Priority in Port Terminal Storage and Handling of Bulk Grain for Export

This amendment to General Order DTA 2, as amended April 12, 1951, is found necessary and appropriate to promote the national defense by reason of the short supply of port facilities for the storage and handling of bulk grain for export to selected countries. In the formulation of this amendment, consultation with industry representatives and trade association representatives has been rendered impractical because of the necessity for immediate action. Accordingly, pursuant to section 101 of the Defense Production Act of 1950, as amended, Executive Orders 10161, as amended, 10200, as amended, and 10219, and Defense Production Administration Delegation No. 1, as amended: *It is hereby ordered,* That paragraph (b) of section 6 of General Order DTA 2 is hereby amended to read as follows:

(b) "Grain" includes all grain for which standards are authorized to be established under the United States Grain Standards Act, as amended (7 U. S. C. 71-87) and all rough, milled, brown, processed or polished rice.

(Sec. 704, 64 Stat. 816, Pub. Law 96, 82nd Cong.; 50 U. S. C. App. Sup. 2154).

This amendment shall take effect January 16, 1952.

Issued at Washington, D. C., this 15th day of January, 1952.

James K. Knudson,
Administrator,
Defense Transport Administration.

[F. R. Doc. 52-731; Filed, Jan. 16, 1952; 11:10 a. m.]

Chapter XXI—Office of Rent Stabilization, Economic Stabilization Agency

[Rent Regulation 1, Amdt. 11 to Schedule A]
[Rent Regulation 2, Amdt. 9 to Schedule A]

RR 1—Housing

RR 2—Rooms in Rooming Houses and Other Establishments

FLORIDA AND VIRGINIA

Amendment 11 to Schedule A of Rent Regulation 1—Housing and Amendment 9 to Schedule A of Rent Regulation 2—Rooms in Rooming Houses and Other Establishments. Said regulations are amended in the following respect:

In Schedule A, item 64b is amended to read and new item 343a is added, all as follows:

State and name of defense-rental area	Class	County or counties in defense-rental areas under regulation	Maximum rent date	Effective date of regulation
Florida				
(64b) Clay County	B	Clay	Jan. 1, 1941	Aug. 1, 1942
	O	do	Sept. 1, 1950	Jan. 17, 1952
Virginia				
(343a) Quantico	A	Prince William and Stafford Counties; and the independent city of Fredericksburg.	Jan. 1, 1951	Do.

These amendments are issued as a result of joint certifications pertaining to critical defense housing areas by the Secretary of Defense and the Director of Defense Mobilization under section 204 (1) of the Housing and Rent Act of 1947, as amended, and a determination as to the relaxation of real estate construction credit controls under section 204 (m) of said act.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

These amendments shall be effective January 17, 1952.

Issued this 14th day of January 1952.

Tighe E. Woods,
Director of Rent Stabilization.

[F. R. Doc. 52-645; Filed, Jan. 16, 1952; 8:55 a. m.]

[Rent Regulation 3, Amdt. 30 to Schedule A]

RR 3—Hotels

FLORIDA AND VIRGINIA

Amendment 30 to Schedule A of Rent Regulation 3—Hotels. Said regulation is amended in the following respect:

New items 64b and 343a are hereby added to Schedule A as follows:

Name of defense-rental area	State	County or counties in defense-rental area under Rent Regulation 3	Maximum rent date	Effective date of regulation
(64b) Clay County	Florida	Clay	Sept. 1, 1950	Jan. 17, 1952
(343a) Quantico	Virginia	Prince William and Stafford Counties; and the Independent City of Fredericksburg.	Jan. 1, 1951	Do.

This amendment is issued as a result of joint certifications pertaining to critical defense housing areas by the Secretary of Defense and the Director of Defense Mobilization under section 204 (1) of the Housing and Rent Act of 1947, as amended, and a determination as to the relaxation of real estate construction credit controls under section 204 (m) of said act.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

This amendment shall be effective January 17, 1952.

Issued this 14th day of January 1952.

Tighe E. Woods,
Director of Rent Stabilization.

[F. R. Doc. 52-646; Filed, Jan. 16, 1952; 8:55 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

Part 207—Navigation Regulations

ATLANTIC OCEAN OFF SANDY HOOK, N. J.

Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U. S. C. 1), § 207.65 is hereby prescribed establishing and governing the use of a naval restricted area in the Atlantic Ocean off Sandy Hook, New Jersey, as follows:

§ 207.65 *Atlantic Ocean off Sandy Hook, N. J.; naval restricted area.*—(a) *The area.* A circular area having a radius of 400 yards with its center at latitude 40°26'38", longitude 73°56'29", approximately 2,000 yards west of Scotland Lightship.

(b) *The regulations.* (1) No vessel shall anchor, troll, drag, or fish in the restricted area.

(2) No vessel shall pass between the buoys placed diametrically opposite each other on the perimeter of the restricted area.

(3) The regulations in this section shall be enforced by the Commandant, Third Naval District, and such agencies as he may designate.

[Regs. Dec. 29, 1951, 800.2121-ENGWO] (Sec. 4, 28 Stat. 362, as amended; 33 U. S. C. 1)

[SEAL] Wm. E. Bergin,
Major General, U. S. Army,
The Adjutant General.

[F. R. Doc. 52-600; Filed, Jan. 16, 1952; 8:45 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Civil Aeronautics Administration, Department of Commmerce

[Amdt. 9]

PART 609—STANDARD INSTRUMENT APPROACH PROCEDURES

STANDARD INSTRUMENT APPROACH PROCEDURE ALTERATIONS

The standard instrument approach procedure alterations appearing hereinafter are adopted when indicated in order to promote safety of the flying public. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to the public interest, and therefore is not required. Part 609 is amended as follows:

1. The low frequency range procedures prescribed in § 609.6 are amended to read in part:

LOW FREQUENCY RANGE PROCEDURES

Station; frequency; identification; class	Minimum initial approach altitude from the direction and radio fix indicated	Final approach range course	Procedure turn minimum at distances from radio range station	Minimum altitude over range—final approach (ft.)	Station to airport: Magnetic bearing (degs.)	Station to airport: Distance (mi.)	Field elevation (ft.)	Ceiling and visibility minimums	Day: Ceiling (ft.)	Day: Visibility (mi.)	Night: Ceiling (ft.)	Night: Visibility (mi.)	If visual contact not established over airport at authorized landing minimums, or if landing not accomplished; remarks
AUGUSTA, GA. Daniel Field 385 kc; AGS; SBRAZ-DTV	N—1,000' (W crs Columbia) E—1,500' (Charleston Range) S—Minimum en route altitude W—2,300' (Atlanta Range)	S	10 mi.—1,600' E side S crs 15 mi.—1,600' E side S crs 20 mi.—1,600' E side S crs 25 mi.—1,600' E side S crs	1,100	46	2.1	427	R A T	500 800 300	1.0 2.0 1.0	NA NA NA	--------	Climb to 1,000' on N crs. CAUTION: Camp Gordon Danger area approx 2.5 mi. W. of final approach crs. NOTE: Minima approved for acft with stall speeds of 75 mph. or less only.
AUGUSTA, MAINE Augusta State Airport 221 kc; AUG; BMRLZ-DTV	NE—2,500' (NW crs Bangor) E—Minimum en route altitude SW—1,500' (Portland Range) W—Minimum en route altitude	SW	10 mi.—1,500' S side SW crs 15 mi.—1,500' S side SW crs 20 mi.—1,500' S side SW crs 25 mi.—1,500' S side SW crs	1,300	80	2.1	357	R* A* T*	600 600 400	1.0 2.0 1.0	600 600 600	1.5 2.0 1.0	Climb to 2,500' on NE crs. *Minimums apply to acft with stall speeds of 75 mph. or less. NOTE: Night operations on NE/SW runway not authorized.
BRIDGEPORT, CONN. Bridgeport Airport 221 kc; BDR; MRLWZ	NE—MEA (SE crs Hartford) SE—MEA (NE crs Mitchel) SW—MEA (E crs LaGuardia) NW—MEA (NE crs Newark)	NE	10 mi.—1,500' N side NE crs 15 mi.—1,500' N side NE crs 20 mi.—2,000' N side NE crs 25 mi.—2,000' N side NE crs	1,000	231	3.7	9	R (R) S* A T	500 500 500 800 800	1.5 1.0 1.0 2.0 1.0	500 500 500 800 800	1.5 1.0 1.5 2.0 1.0	Climb to 1,500' on SW crs. *Runway 21.
BUTTE, MONT. Butte Airport (Procedure No. 1) 223 kc; BTM; BMRLZ-DTV	N—Not authorized SE—10,000' (Whitehall LF Range) S—11,500' (Dillon LF Range) NW—12,700' (SW crs Drummond)	N	10 mi.—9,000' E side N crs* 15 mi.—9,000' E side N crs* 20 mi.—NA 25 mi.—NA	9,000	93	16.1	5,551	R A T	2,500 2,500 1,500	1.5 1.5 1.0	2,500 2,500 1,500	2.0 2.0 2.0	If not contact within 5 mi. after passing range, climb to 10,000' on SE crs within 15 mi. *Procedure turns to W not authorized due to high terrain. CAUTION: High terrain (8,500' msl.) located 2 mi. E of airport.
(Procedure No. 2, using Whitehall Range) 284 kc; HIA; SBRAZ-DTV	N—10,500' (Helena LF Range) E—9,000' (Bozeman LF Range) S—10,500' (Dillon LF Range) NW—10,000' (Butte LF Range)	NW crs Whitehall	None	9,500 (over Homestake FM)	275 (from Homestake FM)	4.0	5,551	R A T	2,500 2,500 1,500	1.5 1.5 1.0	2,500 2,500 1,500	2.0 2.0 2.0	Proceed to Butte LF range climbing to 10,000' on SE crs Butte before reaching range station. Alternate procedure: (when directed by ATC) execute climbing left turn, returning to Whitehall LF range via the NW crs of Whitehall at 10,000'.
CAMARILLO, CALIF. Point Mugu NAS	(PROCEDURE CANCELED)												
COLUMBIA, S. C. Columbia Airport 227 kc; CAE; SBRAZ-DTV	E—1,500' (SW crs Florence) SE—1,500' (NW crs Charleston) W—1,500' (N crs Augusta) W—1,500' (SE crs Spartanburg) NW—Minimum en route altitude.	E	10 mi.—1,500' S side E crs 15 mi.—1,500' S side E crs 20 mi.—1,500' S side E crs 25 mi.—1,500' S side E crs	1,200	263	7.4	244	R (R) A T	500 500 800 300	1.5 1.0 2.0 1.0	500 500 800 300	1.5 1.0 2.0 1.0	Climb to 1,500' on W crs within 25 mi.
GODMAN (Fort Knox), KY. Godman AFB	(PROCEDURE CANCELED)												

LOW FREQUENCY RANGE PROCEDURES—Continued

Station; frequency; identification; class	Minimum initial approach altitude from the direction and radio fix indicated	Final approach range course	Procedure turn minimum at distances from radio range station	Minimum altitude over range—final approach (ft.)	Station to airport		Field elevation (ft.)	Ceiling and visibility minimums					If visual contact not established over airport at authorized landing minimums, or if landing not accomplished; remarks
					Magnetic bearing (degs.)	Distance (mi.)			Day		Night		
									Ceiling (ft.)	Visibility (mi.)	Ceiling (ft.)	Visibility (mi.)	
HOUSTON, TEX. Houston Airport (Procedure No. 1) 332 kc; HOU; SBRAZ-DTV	E—1,600′ (Beaumont LF Range) SE—1,300′ (Galveston LF Range) SE—700′ (Webster FM) (Final) SW—1,500′ (Palacios LF Range) SW—1,200′ (Arcola FM) NW—1,600′ (Bryan LF Range) NW—1,300′ (Houston FM)	SE	10 mi.—1,100′ E side SE crs 15 mi.—1,100′ E side SE crs 20 mi.—NA 25 mi.—NA	700	309	2.2	50	R (R) S A T	500 500 500 800 300	1.5 1.0 1.0 2.0 1.0	500 500 500 800 300	1.5 1.0 1.5 2.0 1.0	Climb to 1,600′ on NW crs within 25 mi. NOTE: Take-offs on Runway 26 and landings on Runway 8/26 not authorized.
JACKSON, MISS. Hawkins Field 260 kc; JAN; SBRAZ-DTV	N—1,700′ (Greenwood LF Range) E—1,800′ (Meridian LF Range) E—1,700′ (Pelahatchee FM) S—1,600′ (New Orleans LF Range) W—1,500′ (Monroe LF Range)	N	10 mi.—1,700′ W side N crs 15 mi.—1,700′ W side N crs 20 mi.—1,700′ W side N crs 25 mi.—1,700′ W side N crs	1,200	193	2.1	343	R (R) A T	500 500 800 300	1.5 1.0 2.0 1.0	500 500 800 300	1.5 1.0 2.0 1.0	Climb to 1,600′ on S crs, or alternate procedure (when directed by ATO), climb to 1,800′ on E crs.
KNOXVILLE, TENN. McGhee-Tyson Airport 257 kc; TYS; SBRAZ-DTV	NE—5,000′ (Tri-City LF Range) NE—4,000′ (Piedmont FM) S—7,000′ (Atlanta NAS Range) S—3,500′ (Tallassee FM) W—3,000′ (NE crs Chattanooga) N—4,700′ (Corbin VAR) N—3,000′ (Inskip FM) N—2,000′ (Inskip FM) (Final)	N	10 mi.—3,000′ E side N crs 15 mi.—3,000′ E side N crs 20 mi.—3,000′ E side N crs 25 mi.—3,000′ E side N crs	2,000	192	2.8	989	R (R) A T	500 500 800 300	1.5 1.0 2.0 1.0	500 500 800 300	1.5 1.5 2.0 1.0	Climb to 4,500′ on W crs within 25 miles.
LA CROSSE, WIS. La Crosse Airport 371 kc; LSE; SBRAZ-DTV	NE—Minimum en route altitude SE—2,500′ (Lone Rock LF Range) SW—2,500′ (S crs Rochester) NW—2,600′ (N crs Rochester)	NW	10 mi.—2,500′ W side NW crs 15 mi.—2,600′ W side NW crs 20 mi.—2,600′ W side NW crs 25 mi.—2,600′ W side NW crs	1,800	142	5.0	653	R (R) S* A T	600 600 500 1,000 400	1.5 1.0 1.5 2.0 1.0	600 600 500 1,000 400	2.0 2.0 2.0 2.0 1.5	Make immediate right climbing turn to 2,500′ and return to range station. *Runway 13. CAUTION: 1,273′ msl. radio tower approx. 2.5 miles WSW of airport.
LAS VEGAS, NEV. Nellis AFB 206 kc; LAS; SBMRAZ-DTV	NE—10,000′ (Enterprise Range) NE—7,000′ (Crystal FM) SE—8,000′ (N crs Needles) SW—9,500′ (Silver Lake Range) SW—7,500′ (Goodsprings Rbn) NW—Minimum en route altitude	SW	10 mi.—5,000′ S side SW crs 15 mi.—5,000′ S side SW crs 20 mi.—7,000′ S side SW crs 25 mi.—10,000′ S side SW crs	3,400	34	1.9	1,890	R (R) A T	1,500 1,500 2,500 800	1.5 1.0 3.0 2.0	1,500 1,500 2,500 800	2.0 2.0 3.0 2.0	Climb to 7,000′ on NE crs within 20 miles. SHUTTLE: To 7,000′ on NE and SW courses within 20 mi. (*turns to S*).
LAS VEGAS, N. MEX. Las Vegas Airport 359 kc; LVS; SBMRAZ-DTV	NE—11,000′ (S crs Trinidad) SE—9,500′ (W crs Tucumcari) SW—9,600′ (E crs Otto) NW—Minimum en route altitude	SW	10 mi.—9,000′ E side SW crs 15 mi.—9,000′ E side SW crs 20 mi.—9,000′ E side SW crs 25 mi.—9,000′ E side SW crs	7,800	8	3.2	6,866	R (R) S A T	600 600 600 800 300	1.5 1.0 1.0 2.0 1.0	600 600 600 800 300	2.0 2.0 2.0 2.0 2.0	Climb to 11,000′ on right side of NE crs within 25 miles.
LONG BEACH, CALIF. Los Alamitos NAS 233 kc; LGB; SBMRLZ-DTV	NE—3,000′ (E crs Los Angeles LF) NE—1,500′ (La Habra FM) SE—4,000′ (N crs San Diego) SW—Minimum en route altitude NW—1,600′ (Los Angeles LF Rng)	SW	10 mi.—1,500′ S side SW crs 15 mi.—1,500′ S side SW crs 20 mi.—NA 25 mi.—NA	1,000	50	1.7	27	R (R) A T	500 500 800 300	1.5 1.0 2.0 1.0	500 500 800 300	2.0 2.0 2.0 1.0	Make climbing left turn to heading of 250°, intersect S crs Los Angeles LF returning at 2,000′, then proceed S to San Pedro Int. NOTE: This is a secondary approach procedure to be used only when the tops of the stratus do not exceed 4,000′. The primary instrument approach procedure for Los Alamitos NAS is GCA.
McCHORD (Tacoma), WASH. McChord AFB 272 kc; TOM; SBMRAZ	E—3,000′ (W crs Ellensburg) S—5,000′ (E crs Toledo) W—Minimum en route altitude W—2,000′ (S crs Shelton) N—3,000′ (NW crs Seattle) N—2,000′ (NE crs Shelton)	S	10 mi.—3,000′ *W side S crs 15 mi.—4,000′ *W side S crs 20 mi.—NA 25 mi.—NA	1,500	338	6.1	320	R A T	600 800 300	1.0 2.0 1.0	600 800 300	2.0 2.0 2.0	Climb to 4,000′ continuing on a crs of 338° for 2 miles, then *turn left to 215°* and proceed to and hold at Olympia Int. *All turns W side S crs—high terrain E side S crs. NOTE: Emergency altitude—16,500′.
MILLINOCKET, MAINE Millinocket Airport 344 kc; MLT; SBRAZ-DTV	N—3,500′ (W crs Houlton) E—2,500′ (S crs Houlton) SW—2,500′ (NW crs Bangor) W—5,000′ (NW crs Bangor)	E	10 mi.—1,800′ N side E crs 15 mi.—2,000′ N side E crs 20 mi.—2,000′ N side E crs 25 mi.—2,000′ N side E crs	1,300	292	1.6	403	R (R) A T	600 600 800 400	1.0 1.0 2.0 1.0	600 600 800 400	1.0 1.0 2.0 1.0	Climb to 2,500′ on SW crs. NOTE: Minimums not authorized for 4-engine aircraft.

LOW FREQUENCY RANGE PROCEDURES—Continued

Station; frequency; identification; class	Minimum initial approach altitude from the direction and radio fix indicated	Final approach range course	Procedure turn minimum at distances from radio range station	Minimum altitude over range—final approach (ft.)	Station to airport: Magnetic bearing (degs.)	Station to airport: Distance (mi.)	Field elevation (ft.)	Ceiling and visibility minimums	Day: Ceiling (ft.)	Day: Visibility (mi.)	Night: Ceiling (ft.)	Night: Visibility (mi.)	If visual contact not established over airport at authorized landing minimums, or if landing not accomplished; remarks
MINNEAPOLIS, MINN. Minneapolis-St. Paul International Airport 266 kc; MSP; SBRAZ-DTV	N—2,500' (Duluth LF Range) SE—2,400' (N crs Rochester) SE—1,500' (Hastings FM) (Final) SW—2,200' (S crs Willmar) NW—2,600' (Alexandria LF Range) NW—2,500' (Hamel FM)	SE	10 mi.—2,100' N side SE crs 15 mi.—2,100' N side SE crs 20 mi.—2,400' N side SE crs 25 mi.—2,400' N side SE crs	1,500	289	3.4	840	R (R) S* A T	500 500 500 800 300	1.5 1.0 1.0 2.0 1.0	500 500 500 800 300	1.5 1.0 1.0 2.0 1.0	Climb to 2,500' on NW crs to Hamel F. M. Alternate procedure: (when directed by ATO), (1) make left climbing turn to 2,200' proceeding out SW crs to Jordan FM; (2) make left climbing turn to 2,100' returning to range. *Runway 20L.
MUSCLE SHOALS, ALA. Muscle Shoals Airport 251 kc; MSL; SBRAZ-DTV	N—2,500' (SW crs Nashville) SE—2,500' (N crs Birmingham) S—Minimum en route altitude W—2,000' (S crs Jackson)	SE	10 mi.—1,800' N side SE crs 15 mi.—1,800' N side SE crs 20 mi.—1,800' N side SE crs 25 mi.—1,800' N side SE crs	1,300	232	4.6	546	R (R) A T	500 500 800 300	1.5 1.0 2.0 1.0	500 500 800 300	2.0 2.0 2.0 1.0	Climb to 2,000' on W crs.
NEW ORLEANS, LA. New Orleans Airport	(PROCEDURE CANCELED)												
NEW YORK, N. Y. Floyd Bennett NAS (Procedure No. 1) 370 kc; FBT; SMLZ-DT	NE—2,000' (W crs Mitchel) SE—1,500' (SW crs Mitchel) SW—1,500' (NE crs Philadelphia) NW—2,000 (Newark Range) NW—1,200' (Newark Range) (Final)* NW—800' (After passing ∮Flatbush Int.) (Final)	NW	10 mi.—1,500' S side NW crs 15 mi.—2,000' S side NW crs 20 mi.—2,000' S side NW crs 25 mi.—2,000' S side NW crs	800	122	1.9	16	R A T	500 1,000 300	1.5 3.0 1.0	500 1,000 300	1.5 3.0 1.0	Climb to 1,500' on SE crs and contact Floyd Bennett Navy tower. *Descent below 1,200' while SE bound on final approach shall not be started until after passing Flatbush Int. ∮Flatbush Int.: (Int. SW crs LaGuardia and NW crs Floyd Bennett).
(Procedure No. 2)	NE—Minimum en route altitude SE—*Minimum en route altitude SE—1,500 ∮(Long Beach Int.) (Final) SE—600' (SW crs Idlewild) (Final) SW—Minimum en route altitude NW—2,000' (Newark Range)	SE	None	600 (over Int. SW crs Idlewild)	302 (from Int. SW crs Idlewild)	3.2	16	R A T	500 1,000 300	1.5 3.0 1.0	500 1,000 300	1.5 3.0 1.0	If not contact within 1 mile after passing Int. SW o Idlewild, execute immediate right 180° turn, climb to 1,500' on SE crs and return to Long Beach Int. *1,500' from Mitchel range to Long Beach Int. ∮Long Beach Int.: (Int. SW crs Mitchel and SE crs Floyd Bennett). CAUTION: Do not proceed NW of Floyd Bennett range station on missed approach.
PHILADELPHIA, PA. North Philadelphia Airport 371 kc; PHF; MLWZ—DTV	NE—1,500' (E crs Allentown) SE—1,500' (NE crs Philadelphia) SW—1,800' (N crs Philadelphia) SW—1,600' (Holmesburg FM) NW—2,000' (N crs Philadelphia)	NE	10 mi.—1,500' N side NE crs 15 mi.—1,500' N side NE crs 20 mi.—1,500' N side NE crs 25 mi.—1,500' N side NE crs	800	238	2.8	120	R (R) S* A T	500 500 500 800 300	1.5 1.0 1.0 2.0 1.0	500 500 500 800 300	1.5 1.5 1.5 2.0 1.0	Make a climbing right turn within 10 mi. on NE crs. Alternate procedure: (when directed by ATO), climb to 2,000' on NW crs. *Runway 24.
(Procedure No. 2)	(PROCEDURE CANCELED)												
RALEIGH, N. C. Raleigh-Durham Airport 320 kc; RDU; SBRAZ—DTV	NE—1,800' (SE crs Blackstone) SE—Minimum en route altitude SE—1,200' (Knightdale FM) (Final) S—2,000' (NE crs Florence) NW—2,100' (NE crs Greensboro)	SE	10 mi.—1,600' N side SE crs 15 mi.—1,600' N side SE crs 20 mi.—1,600' N side SE crs 25 mi.—1,600' N side SE crs	1,300	293	3.0	435	R S* A T	500 500 800 300	1.5 1.0 2.0 1.0	500 500 800 300	1.5 1.0 2.0 1.0	Climb to 2,100' on NW crs within 25 mi.; or alternate procedure (when directed by ATO), climb to 1,800' on NE crs. *Runway 32.
RAPID CITY, S. DAK. Rapid City AFB 221 kc; RAP SBRAZ—DTV	N—Minimum en route altitude E—4,400' (Philip Rbn or VOR) S—5,500' (Chadron Rbn) W—9,000' (SE crs Sheridan)	S	10 mi.—5,000' E side S crs 15 mi.—5,500' E side S crs 20 mi.—5,500' E side S crs 25 mi.—5,500' E side S crs	*4,500	345	5.3	3,240	R (R) S* A T	600 600 600 800 300	2.0 1.5 1.5 2.0 1.0	600 600 600 800 300	3.0 2.0 2.0 2.0 1.0	Climb to 5,000' on N crs within 25 mi. *CAUTION: 3,428' terrain, 2.5 mi. N of range station.
Rapid City Airport	N—Minimum en route altitude E—4,400' (Philip Rbn or VOR) S—5,500' (Chadron Rbn) W—9,000' (SE crs Sheridan)	E	10 mi.—4,400' N side E crs 15 mi.—4,400' N side E crs 20 mi.—4,400' N side E crs 25 mi.—4,400' N side E crs	3,000	*91	1.7	3,172	R (R) A T	700 700 800 300	1.5 1.0 2.0 1.0	700 700 800 300	1.5 1.0 2.0 1.0	If not contact over range, climb to 5,000' on N crs within 25 mi. *Field is located between procedure turn and the range.

LOW FREQUENCY RANGE PROCEDURES—Continued

Station; frequency; identification; class	Minimum initial approach altitude from the direction and radio fix indicated	Final approach range course	Procedure turn minimum at distances from radio range station	Minimum altitude over range—final approach (ft.)	Station to airport		Field elevation (ft.)	Ceiling and visibility minimums					If visual contact not established over airport at authorized landing minimumls, or if landing not accomplished; remarks
					Magnetic bearing (degs.)	Distance (mi.)			Day		Night		
									Ceiling (ft.)	Visibility (mi.)	Ceiling (ft.)	Visibility (mi.)	
ROANOKE, VA. Roanoke Arpt. 371 kc; ROA; SBRAZ-DTV	NE—6,200′ (N crs Lynchburg) S—5,600′ (NE crs Greensboro) S—* (Red Hill FM) (Final) W—6,000′ (SE crs Pulaski) N—Minimum en route altitude	S	10 mi.—4,600′ E side S crs 15 mi.—4,600′ E side S crs 20 mi.—4,600′ E side S crs 25 mi.—4,600′ E side S crs	*4,600	349	1.8	1,174	R A T	1,500 2,500 1,000	2.0 2.0 2.0	2,000 2,500 1,000	#2.0 #2.0 #2.0	If not contact over range, climb to 5,700′ on N crs within 25 mi, maintaining 500′/min. rate of climb; or alternate procedure (when directed by ATC), if unable to maintain 500′/min. climb, shuttle between range stn and a point 6 min. S to minimum en route alt. *After passing Red Hill FM, descend to authorized minimums to cross range stn at authorized minimums. #Take-off to N and landing to S not authorized at night.
SAN MARCOS, TEX. San Marcos AFB 266 kc; SRO; MRLWZ	N—3,000′ (SW crs Austin) E—3,000′ (SE crs Austin) S—3,000′ (NE crs Randolph) W—3,000′ (SW crs Austin)	N	10 mi.—2,000′ W side N crs 15 mi.—2,000′ W side N crs 20 mi.—2,500′ W side N crs 25 mi.—2,500′ W side N crs	1,500	170	4.2	596	R (R) A T	500 500 800 300	1.5 1.0 2.0 1.0	500 500 800 300	2.0 2.0 2.0 2.0	Make right climbing turn reporting over San Marcos range at 2,000′. Hold on N crs at 2,000′ within 15 mi. NOTE: *For military use only.*
SEATTLE, WASH. Boeing Fld (Procedure No. 2)	(PROCEDURE CANCELED)												
SEWART (Smyrna), TENN. Sewart AFB (Procedure No. 1) 391 kc; SYM; MRLW	NE—3,500′ (NW crs Smithville) SE—4,000′ (SW crs Smithville) SW—2,500′ (NE crs Muscle Shoals) NW—2,500′ (Nashville Range)	SE	10 mi.—2,500′ E side SE crs 15 mi.—2,500′ E side SE crs 20 mi.—3,500′ E side SE crs 25 mi.—3,500′ E side SE crs	1,020	320	.8	512	R A T	500 1,500 500	2.0 3.0 1.0	500 1,500 500	3.0 3.0 2.0	Climb to 3,500′ on NE crs. SHUTTLE: SE crs. NOTE: Instrument approaches cleared and controlled by Nashville Approach Control. Range operates 0800–1700, 30 min. notice other hours.
(Procedure No. 2—using Nashville Range) 304 kc; BNA SBRAZ-DTV	NE—2,500′ (NW crs Smithville) NE—2,000′ (Mount Juliet FM) SE—4,000′ (SW crs Smithville) SE—2,500′ (Walterhill FM) SW—2,500′ (Jackson Range) NW—2,000′ (SW crs Bowling Green)	NW	10 mi.—2,000′ E side NW crs 15 mi.—2,000′ E side NW crs 20 mi.—2,000′ E side NW crs 25 mi.—2,000′ E side NW crs	2,000 (Over Nashville Range)	141 (From Nashville Range)	10.5	512	R A T	700 1,700 300	2.0 3.0 1.0	700 1,700 300	2.0 3.0 1.0	Climb to 2,500′ on mag. crs of 15°. SHUTTLE: E side NW crs to 2,000′.
SOUTH BEND, IND. St. Joseph County Airport 215 kc; SBN SBMRAZ-DTV	N—2,000′ (NE crs Chicago) E—2,000′ (N crs Goshen) S—2,000′ (W crs Goshen) W—2,000′ (SE crs Glenview) W—1,500′ (New Carlisle FM) (Final)	W	10 mi.—2,000′ N side W crs 15 mi.—2,000′ N side W crs 20 mi.—2,000′ N side W crs 25 mi.—2,000′ N side W crs	1,500	75	3.3	778	R (R) S* A T	500 500 500 800 300	1.5 1.0 1.0 2.0 1.0	500 500 500 800 300	1.5 1.0 1.0 2.0 1.0	Climb to 2,000′ on E crs. Alternate procedure: (when directed by ATC) make left turn climbing to 2,000′ on N crs within 25 mi. *Runways 9 and 6.
STEWART (Newburgh), N. Y. Stewart AFB 335 kc; SWF; MRLWZ	NE—3,000′ (N crs Poughkeepsie) SE—3,000′ (S crs Poughkeepsie SW—MEA (Nw crs La Guardia) NW—Minimum en route altitude	NW	10 mi.—2,500′ W side NW crs 15 mi.—2,500′ W side NW crs 20 mi.—3,300′ W side NW crs 25 mi.—3,300′ W side NW crs	1,300	124	2.5	471	R A T	600 1,600 300	1.0 1.0 1.0	600 1,600 300	2.0 2.0 2.0	Make immediate 180° left turn and climb to 3,000′ on NW crs within 10 mi.
SYRACUSE, N. Y. Hancock Airport 350 kc; SYR; SBRAZ-DTV	N—2,000′ (NW crs Utica) E—3,000′ (SW crs Utica) S—3,500′ (NE crs Elmira) W—2,100′ (E crs Rochester)	W	10 mi—2,100′ S side W crs 15 mi—2,100′ S side W crs 20 mi—2,100′ S side W crs 25 mi—2,100′ S side W crs	1,400	98	7.4	419	R (R) S# A T*	700 600 600 800 300	2.0 2.0 2.0 2.0 1.0	700 600 600 800 300	2.0 2.0 2.0 2.0 1.0	Turn left, climb to 2,100′ and return to range stn. Alternate procedure: (when directed by ATC), climb to 3,000′ on E crs. #Runway 10. *600-1 required for take-off to SE. CAUTION: 833′ msl. radio mast located 1.3 mi. SE of airport 935′ msl. radio mast located approx 3 mi. SW of airport.
TOLEDO, WASH. Toledo-Winlock airport	(PROCEDURE CANCELED)												

LOW FREQUENCY RANGE PROCEDURES—Continued

Station; frequency; identification; class	Minimum initial approach altitude from the direction and radio fix indicated	Final approach range course	Procedure turn minimum at distances from radio range station	Minimum altitude over range—final approach (ft.)	Station to airport		Field elevation (ft.)	Ceiling and visibility minimums					If visual contact not established over airport at authorized landing minimums, or if landing not accomplished; remarks
					Magnetic bearing (degs.)	Distance (mi.)			Day		Night		
									Ceiling (ft.)	Visibility (mi.)	Ceiling (ft.)	Visibility (mi.)	
TRAVIS (Fairfield), CALIF. Travis AFB 248 kc; SUU SBRAZ-D	NE—Minimum en route altitude NE—2,000' (NW crs Sacramento) S—5,000' (W crs Stockton) S—2,000' (SW crs Sacramento(Rio Int) SW—4,000' (NW crs Oakland) N—4,000' (Williams Range)	NE	10 mi—2,000' N side NE crs 15 mi—2,000' N side NE crs 20 mi—2,000' N side NE crs. 25 mi—2,000' N side NE crs	1,000	210	4.5	58	R A T	500 1,000 300	1.5 3.0 2.0	500 1,000 300	2.0 3.0 3.0	Climb to 4,000' on SW crs within 25 mi.
UTICA, N. Y. Griffiss AFB (Rome) 359 kc; UOA; BMRLZ-DTV	NE—Minimum en route altitude SE—3,000' (W crs Albany) SW—3,000' (E crs Syracuse) NW—3,000' (N crs Syracuse)	SE	10 mi.—3,000' E side SE crs 15 mi.—3,000' E side SE crs 20 mi.—3,000' E side SE crs 25 mi.—3,000' E side SE crs	2,500	315	2.9	487	R A T	800 1,500 500	2.0 3.0 1.0	800 1,500 500	3.0 3.0 2.0	Climb to 3,000' on NW course.
Oneida Co. Airport	NE—Minimum en route altitude SE—3,000' (W crs Albany) SW—3,000' (E crs Syracuse) NW—3,000' (N crs Syracuse)	NE	10 mi.—3,000' N side NE crs 15 mi.—3,000' N side NE crs 20 mi.—NA 25 mi.—NA	2,300	216	4.1	736	R (R) A T	600 500 800 300	1.5 1.0 2.0 1.0	600 500 800 300	1.5 1.0 2.0 1.0	Climb to 2,500' on SW crs, make a standard rate climbing turn to right and return to station at 3,000'.
Utica Airport	(PROCEDURE CANCELED)												
WALLA WALLA, WASH. City-County Airport 356 kc; ALW; SBMRLZ-DTV	NE—5,500' (Spokane Range) SE—Minimum en route altitude SW—5,000' (E crs Pendleton) NW—Minimum en route altitude	NE	10 mi.—3,500' W side NE crs 15 mi.—3,500' W side NE crs 20 mi.—NA 25 mi.—NA	2,500	175	3.6	1,205	R (R) A T	600 500 800 300	1.5 1.0 2.0 1.0	700 600 800 300	1.5 1.0 2.0 1.0	Climb to 5,000' on SW course within 20 mi. CAUTION: High terrain 5 mi. E of NE course. 1,500' terrain 2.3 mi. E of arpt.
WALNUT RIDGE, ARK. Walnut Ridge Airport 389 kc; ARG; BMRLZ-DTV	NE—1,500' (W crs Advance) E—2,500' (N crs Memphis) SW—1,700' (N crs Stuttgart) W—Minimum en route altitude	NE	10 mi.—1,500' W side NE crs 15 mi.—1,500' W side NE crs 20 mi.—1,500' W side NE crs 25 mi.—1,500' W side NE crs	960	173	5.1	275	R (R) S* A T	500 500 500 800 300	1.5 1.0 1.0 2.0 1.0	NA NA NA NA NA	--------	Climb to 1,700' on SW course within 25 mi. *Runway 18.
WEEKSVILLE, N. C. Elizabeth City CGAS 254 kc; NFG; SMRLZ	NE.—Minimum en route altitude NE.—1,200' (Aydlette FM) SE—Minimum en route altitude SE—1,200' (Manteo FM) SW—Minimum en route altitude SW—1,200' (Edenton FM) NW—Minimum en route altitude NW—1,200' (South Mills FM)	SE	10 mi.—1,100' N side SE crs 15 mi.—NA 20 mi.—NA 25 mi.—NA	800	310	2.9	10	R (R) S* A T	500 500 500 800 300	1.5 1.0 1.0 2.0 1.0	500 500 500 800 300	1.5 1.0 1.0 2.0 1.0	Climb to 1,200' on NW crs within 25 mi. CGAS closed to all civil air traffic except in emergency or when given special authorization. *Runway 32. SHUTTLE: On SE crs within 8 mi. of range.
WHITEHALL, MONT. CAA Int. Field	(PROCEDURE CANCELED)												
WICHITA FALLS, TEX. Wichita Falls Airport (Sheppard AFB) 239 kc; ICH; SBMRAZ-DTV	NE—2,500' (S crs Oklahoma City) SE—2,200' (N crs Fort Worth) SE—1,700' (Jolly FM) (final) SW—3,000' (Abilene LF Range) NW—3,000' (Clarendon Range)	SE	10 mi.—2,200' E side SE crs 15 mi.—2,200' E side SE crs 20 mi.—2,200' E side SE crs 25 mi.—2,200' E side SE crs	1,700	305	1.7	1,029	R (R) A T	500 500 800 300	1.5 1.0 2.0 1.0	500 500 800 300	1.5 1.0 2.0 1.0	Climb to 3,000' on NW crs within 25 mi. Alternate procedure: (when directed by ATO), turn right and climb to 2,500' on NE crs within 25 mi.
WILKES-BARRE, PA. Wilkes-Barre-Scranton Airport 272 kc; AVP; SBMRAZ-DTV	E—3,500' (NW crs La Guardia) S—4,000' (W crs Allentown) SW—4,000' (SE crs Williamsport) N—3,500' (SE crs Elmira)	SW	10 mi.—3,500' S side SW crs 15 mi.—3,500' S side SW crs 20 mi.—3,500' S side SW crs 25 mi.—3,500' S side SW crs	2,500	90	4.0	956	R (R) A T	1,000 900 1,200 (BCOB) 600	2.0 1.5 2.0 2.0	1,500 1,500 1,500 (BCOB) 800	2.0 2.0 3.0 2.0	Make a climbing left turn and climb to 4,000' on SW crs. CAUTION: high terrain to E, SE, and S of airport within 3 mi.
WINSTON-SALEM, N. C. Smith-Reynolds Airport 382 kc; INT; SMRLZ-D	NE—2,400' (NW crs Greensboro) SE—Minimum en route altitude SE—2,000' (SW crs Greensboro) (final) SE—2,000' (High Point FM) (final) SW—2,800' (N crs Charlotte) NW—Minimum en route altitude	SE	10 mi.—2,300' W side SE crs 15 mi.—2,300' W side SE crs 20 mi.—2,300' W side SE crs 25 mi.—2,300' W side SE crs	2,000	323	5.1	969	R (R) S* A T	500 500 500 800 300	1.5 1.0 1.0 2.0 1.0	600 500 500 800 300	1.5 1.0 1.0 2.0 1.0	Climb to 3,500' on NW crs within 25 mi. or alternate procedure (when directed by ATO), turn left, climb to 2,400' on SW crs within 25 mi. *Runway 33. CAUTION: 1,307' msl. building located 2 mi. SSW of airport.
YOUNGSTOWN, OHIO Youngstown Airport 212 kc; YNG; SBMRLZ-DTV	N—2,220' (SW crs Erie) N—1,740' (Gustavus FM) (final) E—2,600' (S crs Erie) S—2,600' (NW crs Pittsburgh) W—2,200' (NE crs Akron)	N	10 mi.—2,200' W side N crs 15 mi.—2,200' W side N crs 20 mi.—2,200' W side N crs 25 mi.—2,200' W side N crs	1,740	185	3.4	1,196	R (R) S* A T	500 500 500 800 300	1.5 1.0 1.0 2.0 1.0	500 500 500 800 300	1.5 1.0 1.0 2.0 1.0	Climb to 2,600' on S course. *Runway 18.

2. The high frequency range procedures prescribed in § 609.7 are amended to read in part:

VHF VISUAL-AURAL (VAR) RANGE PROCEDURES

Station; frequency; identification; class	Minimum initial approach altitude from the direction and radio fix indicated	Final approach range course	Procedure turn minimum at distances from radio range station	Minimum altitude over range—final approach (ft.)	Station to airport: Magnetic bearing (degs.)	Station to airport: Distance (mi.)	Field elevation (ft.)	Ceiling and visibility minimums	Day: Ceiling (ft.)	Day: Visibility (mi.)	Night: Ceiling (ft.)	Night: Visibility (mi.)	If visual contact not established over airport at authorized landing minimums, or if landing not accomplished; remarks
HICKORY, N. C. Hickory Airport 108.7 mc; HKY; BVAR-DTVJ	E—4,000′ (Greensboro LF Range) S—3,500′ (NE crs Spartanburg) W—6,500′ (Asheville Rbn) N—Minimum en route altitude.	E	10 mi.—2,500′ S side E crs 15 mi.—2,500′ S side E crs 20 mi.—NA 25 mi.—NA	2,000	259	6.2	1,180	R (R) S* A T	700 600 600 800 300	1.5 1.5 1.5 2.0 1.0	700 700 700 800 300	2.0 2.0 2.0 2.0 1.0	Climb to 4,100′ on W crs within 25 miles. CAUTION: W crs Hickory VAR passes approximately 3/4 of a mile S of Hickory Airport. 2,050′ msl. obstructions located 5.5 miles S of airport. SHUTTLE: E course to 2,500′ within 15 miles. *Runway 24.
LEXINGTON, KY. Blue Grass Airport	(PROCEDURE CANCELED)												
MASSENA, N. Y. Richards Field	(PROCEDURE CANCELED)												
PADUCAH, KY. Barkley Field	(PROCEDURE CANCELED)												
WATERTOWN, N. Y. Watertown Airport	(PROCEDURE CANCELED)												

3. The instrument landing system procedures prescribed in § 609.11 are amended to read in part:

INSTRUMENT LANDING SYSTEM PROCEDURES

ILS location and range from which initial approach to ILS shall be made	Transition to ILS: From—	Transition to ILS: To—	Transition to ILS: Magnetic course (degs.)	Transition to ILS: Distance (mi.)	Transition to ILS: Minimum altitude (ft.)	Final ILS approach course; degrees inbound, outbound	Procedure turn minimum on ILS	Minimum altitude at glide path intercept (ft.)	Glide path altitude over markers (ft.): Outer	Glide path altitude over markers (ft.): Middle	Distance from markers to approximate end of runway (mi.): Outer	Distance from markers to approximate end of runway (mi.): Middle	Field elevation (ft.)	Minimums	Minimums: Ceiling (ft.)	Minimums: Visibility (mi.)	If visual contact not established at authorized landing minimums or if landing not accomplished, remarks
BALTIMORE, MD. Friendship Intn'l. Airport Freq. 110.3 mc Ident. BAL	Int. NE crs Washington & W crs Baltimore	LOM	221	5.0	1,500	W 101 281	1,500′—S side W crs	1,500	1,260	335	4.40	0.71	146	R (R) S* A T	500 500 400 800 300	1.5 1.0 3/4 2.0 1.0	Climb to 1,500′ on E crs ILS, or to higher altitude when requested by ATC. *Runway 10.
	Int. W crs ILS & NE crs Arcola	LOM	101	23.0	1,700												
	Beltsville FM	LOM	30	10.9	1,500												
	Int. NE crs Arcola & W crs Baltimore	W crs ILS	130	15.0	1,800												
BINGHAMTON, N. Y. Broome County Airport Freq. 110.3 mc Ident. BGM	Binghamton VOR	LOM	103	10	3,500	SE 338 158	3,100′—E side SE crs	(*)	2,640	2,030	4.57	.72	1,630	R (R) S# A T	500 500 400 800 300	1.5 1.0 1.0 2.0 1.0	Climb to 3500′ on 338° bearing from LMM. *This procedure is not predicated on the use of the glide path. #Runway 34.
	Elmira LF Range	LOM	100	51	3,500												
	Int. S crs Syracuse & 100° bearing on LOM	LOM	100	10	3,500												
	Int. 265° bearing on Elmira LF range & 225° bearing on LMM	LOM	225	16	3,500												

INSTRUMENT LANDING SYSTEM PROCEDURES—Continued

ILS location and range from which initial approach to ILS shall be made	Transition to ILS					Final ILS approach course; degrees inbound, outbound	Procedure turn minimum on ILS	Minimum altitude at glide path intercept (ft.)	Glide path altitude over markers (ft.)		Distance from markers to approximate end of runway (mi.)		Field elevation (ft.)	Minimums			If visual contact not established at authorized landing minimums or if landing not accomplished, remarks
	From—	To—	Magnetic course (degs.)	Distance (mi.)	Minimum altitude (ft.)				Outer	Middle	Outer	Middle			Ceiling (ft.)	Visibility (mi.)	
BIRMINGHAM, ALA. Birmingham Airport Freq. 110.3 mc Ident. BHM	Birmingham Range	Outer marker	215	8.7	2,500	SW 52 232	2,000'—W side SW crs	1,027	1,027	822	5.40	0.72	643	R S* A T	900 500 1,000 300	1.5 3/4 2.0 1.0	Climb to 2,500' on N crs of Birmingham range, or alternate procedure (when directed by ATO) climb to 2,700' on NE crs of ILS. Upon reaching 2,700', make 180° right turn and proceed to S crs of Birmingham, hold on S crs of Birmingham. *Runway 6.
	Int. SW crs Birmingham & SW crs ILS	Outer marker	52	26.0	2,000												
	Int. S crs Birmingham & SW crs ILS	Outer marker	232	6.7	2,500												
	Int. E crs Birmingham & NE crs ILS	Outer marker	232	11.3	2,500												
CHARLESTON, S. C. Charleston Airport Freq. 110.3 mc Ident. CHS	Int. N crs Charleston & NW crs ILS	LOM	328	2.0	1,200	NW 148 328	1,200'—W side NW crs	1,200	1,100	245	4.60	.64	45	R (R) S* A T	500 500 400 800 300	1.5 1.0 3/4 2.0 1.0	Climb to 1,500' on E crs of Charleston range; or alternate procedure (when directed by ATO), turn right and climb to 1,400' on SW crs of Charleston range. *Runway 15.
	Charleston LF Range	LOM	360	4.0	1,200												
	Int. E crs Charleston & ILS localizer crs	LOM	328	6.0	1,200												
CHARLOTTE, N. C. Douglas Field Freq. 109.5 mc Ident. CLT	Charlotte Rng	Outer marker	251	5.3	2,200	SW 50 230	2,150'—S side SW crs	2,150	2,150	930	5.90	.62	748	R (R) S* A T	500 500 400 800 300	1.5 1.0 3/4 2.0 1.0	Turn left and climb to 2,500' on N crs of Charlotte within 25 mi. or alternate procedure (when directed by ATO), turn right, climb to 2,200' on E crs of Charlotte within 25 mi. NOTE: 1,116' msl. radio tower located 4 mi. SE of range and 2.3 mi. E of the S course. *Runway 5.
	Int. W crs Charlotte & SW crs ILS	Outer marker	230	2.5	2,200												
	Int N crs Charlotte & SW crs ILS	Outer marker	230	6.75	2,200												
	Fort Mill FM	SW crs ILS	325	8.5	2,200												
DENVER, COLO. Stapleton Field Freq. 110.3 mc Ident. DEN	Int. W crs Denver VAR & N crs Denver LF	LOM	123	5.3	6,600	NE 293 23	6,600'—S side NE crs	6,600	6,600	5,620	4.10	.65	5,325	R (R) S# A T	500 500 400 800 300	1.5 1.0 3/4 2.0 1.0	Climb to 8,000' on S crs Denver LF range, or alternate procedure (when directed by ATO), climb to 8,500', intercepting an ADF track of 125° outbound from Denver LF range, or to 6,600' on E crs Denver LF range within 25 mi. *CAUTION: 6,715' msl. hill, 6 mi. NW of Franktown, 5,924' msl. tower, 4.7 mi. ESE of airport. #Runway 21.
	Int. E crs Denver VAR & NE crs Denver LF	NE crs ILS	231	5.6	6,600												
	Franktown FM (Northbound only)	NE crs ILS	351	34.0	*7,000												
	Henderson FM	NE crs ILS	93	8.1	6,600												
	Denver LF Rng	NE crs ILS	59	4.3	6,600												
DES MOINES, IOWA Des Moines Airport Freq. 110.3 mc Ident. DSM	Des Moines VOR	Outer marker	40	4.5	2,300	SE 304 124	2,300'—E side SE crs	2,300	2,300	1,170	4.77	.61	957	R (R) S* A T#	500 500 400 800 300	1.5 1.0 3/4 2.0 1.0	Climb to 2,500' on NW crs ILS. Alternate procedure: (when directed by ATO), climb to 2,500' on W crs of Des Moines LF range within 25 mi. CAUTION: 1,549' msl. TV tower located 3.2 mi. NNE of airport. #When TV tower not visible on N, NE, E, and W take-offs, climb to 2,500' before turning toward tower. *Runway 31.
	Des Moines LF Range	Outer marker	102	3.2	2,300												
	Martensdale FM	SE crs ILS	30	9.3	2,300												
	Int. SE crs ILS & N crs Des Moines	Outer marker	124	3.8	2,300												
	Int. E crs Des Moines & SE crs ILS	Outer marker	124	1.9	2,300												
FARGO, N. DAK. Fargo Airport Freq. 110.3 mc Ident. FAR	Fargo VOR	LOM	351	0.7	2,300	S 351 171	2,300'—W side S crs	2,100	2,090	1,125	4.55	.71	900	R (R) S# A T	500 500 500 400 800 300	1.5 1.0 1.5 3/4 2.0 1.0	Climb to 2,300' on N crs Fargo, or on a mag. crs of 345° outbound from Fargo VOR. Alternate procedure: (when directed by ATO), make left turn, climb to 2,500' on W crs Fargo or on 202° crs outbound from Fargo VOR. *Night minimums. #Runway 35.
	Fargo LF Range	LOM	168	5.2	2,300												
	West Fargo FM	LOM	133	0.6	2,300												
	Barnesville FM	S crs ILS	235	20.0	2,300												
	Int. N crs Fargo & N crs ILS	LOM	171	12.0	2,300												

ILS location and range from which initial approach to ILS shall be made	Transition to ILS: From—	To—	Magnetic course (degs.)	Distance (mi.)	Minimum altitude (ft.)	Final ILS approach course; degrees inbound, outbound	Procedure turn minimum on ILS	Minimum altitude at glide path interception (ft.)	Glide path altitude over markers (ft.): Outer	Middle	Distance from markers to approximate end of runway (mi.): Outer	Middle	Field elevation (ft.)	Minimums	Ceiling (ft.)	Visibility (mi.)	If visual contact not established at authorized landing minimums or if landing not accomplished, remarks
KNOXVILLE, TENN. McGhee-Tyson Airport Freq. 110.3 mc Ident. TYS	Knoxville Range	Binfield Rbn	216	10.3	2,500	SW 45 225	2,500'—W side SW crs	2,500	*2,040	1,190	4.34	0.61	989	R (R) ** S# A T	500 500 500 400 800 300	1.5 1.0 1.5 3/4 2.0 1.0	Turn left and climb to 3,000' on N crs of Knoxville within 25 mi. Alternate procedure (when directed by ATC), climb to 4,000' on NE crs Knoxville within 25 mi. *2,565' at Binfield Rbn. **Night minimums. #Runway 4. NOTE: Binfield Rbn located 6.6 mi. from end of runway.
	Int. NE crs Knoxville & NE crs ILS	Binfield Rbn	225	14.6	2,500												
	Int. SW crs Knoxville & NE crs Chattanooga	Binfield Rbn	78	38.0	3,000												
	Tallassee FM	Binfield Rbn	353	14.0	3,500												
LOS ANGELES, CALIF. Los Angeles Intn'l Airport Freq. 109.9 mc Ident. LAX	Los Angeles LF Range	LOM	67	2.2	2,000	E 247 67	2,000'—S side E crs*	1,650	1,650	300	6.04	.64	109	R (R) S# A T	600 500 400 800 300	1.5 1.0 3/4 2.0 1.0	Climb to 2,000' on W crs Los Angeles LF range. *In no case farther E than Downey FM & Rbn. #Runway 25R.
	Downey FM & Rbn	LOM	252	8.8	1,650												
MIAMI, FLA. Miami Intn'l Airport Freq. 109.5 mc Ident. MIA	*Miami LF Range	Int. N crs Miami & NW crs ILS	351	4.7	1,100	NW 117 297	1,100'—S side NW crs	1,100	1,090	210	4.31	.63	9	R (R) S# A T	500 500 400 800 300	1.5 1.0 3/4 2.0 1.0	Climb to 1,400' on SE crs ILS, or alternate procedure (when directed by ATC), turn left, climb to 1,400' on E crs of Miami. *Right turn to localizer not permitted. #Runway 12.
	Int. N crs Miami & NW crs ILS	Outer marker	117	3.2	1,100												
	Int. E crs Miami & NW crs ILS	Outer marker	297	5.6	1,100												
	Krome FM	NW crs ILS	8 59	8.9	1,100												
NORFOLK, VA. Norfolk Airport Freq. 109.9 mc Ident. ORK	Norfolk (ORF) Range	LOM	224	0.9	1,400	SW 44 224	1,400'—S side SW crs	1,400	1,050	220	4.20	.63	25	R (R) S* A T	500 500 400 800 300	1.5 1.0 3/4 2.0 1.0	Turn right and climb to 1,400' on SW crs of ILS. *Runway 4.
	Int. SW crs ILS & Scrs Langley	LOM	44	6.8	1,400												
PITTSBURGH, PA. Allegheny Co. Airport Freq. 109.5 mc Ident. PIT	Pittsburgh Range	Outer marker	91	8.0	2,600	E 275 95	2,600'—N side E crs	2,600	2,510	1,460	4.70	.65	1,252	R S* A T	500 400 800 300	1.5 3/4 2.0 1.0	Climb to 2,500' on W crs of Pittsburgh, proceed to Cecil holding pattern, or alternate procedure (when directed by ATC), climb to 2,600' on NW crs of Pittsburgh, proceed to Clinton holding pattern. *Runway 27. NOTE: Approaches may also be conducted from McKeesport Rbn. Glide path alt. on final approach over McKeesport Rbn. is 3,000'.
	McKeesport Rbn	Outer marker	275	1.7	2,600												
	Int. SE crs Pittsburgh & NE crs Morgantown	McKeesport Rbn	322	16.8	2,500												
RICHMOND, VA. Byrd Field Freq. 110.3 mc Ident. RIC	Richmond Range	Outer marker	263	3.0	1,500	SW 63 243	1,500'—S side SW crs	1,500	1,370	370	4.36	.68	167	R (R) S* A T	500 500 400 800 300	1.5 1.0 3/4 2.0 1.0	Climb to 1,500' on crs of 63° mag from LMM; alternate procedure (when directed by ATC), make a left climbing turn, climb to 1,500' on N crs Richmond. *Runway 6.
	Int. N crs Richmond & SW crs ILS	Outer marker	243	3.5	1,500												
	Manakin Rbn	Outer marker	130	20.0	1,700												
	Chester FM	SW crs ILS	10	6.2	1,500												

INSTRUMENT LANDING SYSTEM PROCEDURES—Continued

ILS location and range from which initial approach to ILS shall be made	Transition to ILS					Final ILS approach course; degrees inbound, outbound	Procedure turn minimum on ILS	Minimum altitude at glide path intercept (ft.)	Glide path altitude over markers (ft.)		Distance from markers to approximate end of runway (mi.)		Field elevation (ft.)	Minimums			If visual contact not established at authorized landing minimums or if landing not accomplished, remarks
	From—	To—	Magnetic course (degs.)	Distance (mi.)	Minimum altitude (ft.)				Outer	Middle	Outer	Middle			Ceiling (ft.)	Visibility (mi.)	
SOUTH BEND, IND. St. Joseph County Airport Freq. 110.3 mc Ident. SBN	South Bend LF Range	LOM	82	8.6	2,000	E 268 88	2,000'—N side E crs (within 10 mi)	2,000	1,030	935	4.30	0.71	778	R (R) S* A T	500 500 400 800 300	1.5 1.0 3/4 2.0 1.0	Climb to 2,000' on W crs South Bend LF range or on crs of 271° from South Bend VOR. Alternate procedure (when directed by ATC), make right climbing turn, climb to 2,000' on N crs South Bend LF range or on crs of 3° from South Bend VOR. *Runway 27.
	Int. 75° bearing on S. Bend VOR	LOM	88	24.0	2,000												
	Int. W crs S. Bend	LOM	88	14.8	2,000												
	Int. N crs S. Bend	LOM	88	8.5	2,000												
	South Bend VOR	LOM	129	6.6	2,000												
	Millersburg VOR	E crs ILS	208	25.5	2,200												
	Int. N crs Goshen & E crs South Bend	E crs ILS	250	19.0	2,000												
	Int. N crs Goshen & E crs ILS	Glide path interception	268	18.0	2,200												
	Goshen LF Range	E crs ILS	311	20.0	2,200												
SYRACUSE, N. Y. Hancock Airport Freq. 109.9 mc Ident. SYR	Syracuse LF Range	Outer marker	99	13.2	1,900	E 278 98	1,600'—N side E crs	1,600	1,535	1,035	4.40	.71	419	R (R) S* A T*	700 600 400 800 300	1.5 1.0 3/4 2.0 1.0	Climb to 2,100' on W crs Syracuse. *Runway 23. *600-1 required for take-off to SE. CAUTION: 840' msl. radio tower located 1.25 mi. SE of airport.
	Syracuse VOR	Outer marker	121	10.0	1,900												
	Int. E crs Syracuse	Outer marker	335	4.0	1,900												
TOPEKA, KANS. Phillip Billard Airport Freq. 109.5 mc Ident. TOP	Int. SE crs ILS & SW crs Kansas City	Rbn at OM	305	33	2,500	NW 125 305	2,100'—W side NW crs	2,100	2,065	1,090	4.50	.60	880	R (R) S* A T	600 500 400 800 300	1.5 1.0 3/4 2.0 1.0	Climb to 2,500' on SE crs ILS; or alternate procedure (when directed by ATC), climb to 2,400' on NE crs Forbes LF range. *Runway 12. NOTE: Rbn at ILS OM: Freq. 301 kc, ident. TOP, located 4.50 mi. from approach end of Runway 12.
	Forbes LF Range	Rbn at OM	357	15	2,400												
	Int. 252° bearing to Salina VOR & NW crs Forbes	Rbn at OM	71	16	2,500												
WILMINGTON, DEL. New Castle County Airport Freq. 110.1 mc Ident. ILG	Wilmington Range	Outer marker	159	3.5	1,600	S 13 193	1,600'—E side S crs	1,600	1,605	235	6.00	.70	77	R (R) S* A T	500 500 400 800 300	1.5 1.0 3/4 2.0 1.0	Make a climbing left turn as soon as practicable, climb to 1,600' on S crs ILS. *Runway 1.
	Int. S crs Wilmington & SW crs Millville	Outer marker	18	20.0	1,600												
WINDSOR LOCKS, CONN. Bradley Field Freq. 110.3 mc Ident. BDL	Int. NW crs Hartford & SW crs ILS	LOM	68	3.0	2,500	SW 53 233	2,200'—S side SW crs	2,200	1,740	400	5.50	.60	171	R (R) S* A T	500 500 400 800 300	1.5 1.0 3/4 2.0 1.0	Climb to 2,500' on NE crs of ILS. *Runway 6.
	Int. E crs Westfield & NE crs ILS	LOM	238	10.0	2,500												
	Int. S crs Westfield & SW crs ILS	LOM	68	3.0	2,500												

These procedures shall become effective upon publication in the FEDERAL REGISTER.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

[SEAL]

F. B. LEE,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 52-471; Filed, Jan. 16, 1952; 8:45 a. m.]

TITLE 41—PUBLIC CONTRACTS

Chapter II—Division of Public Contracts, Department of Labor

PART 202—MINIMUM WAGE DETERMINATIONS

DRUG, MEDICINE, AND TOILET PREPARATIONS INDUSTRY

This matter is before the Department pursuant to the act of June 30, 1936 (49 Stat. 2036, 41 U. S. C. secs. 35–45) entitled "An act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes," otherwise known as the Walsh-Healey Public Contracts Act. The currently effective wage determination (15 F. R. 382) was based upon information indicating that substantially all employees in the Drug, Medicine, and Toilet Preparations Industry (hereinafter referred to as the Industry) are engaged in commerce or in the production of goods for commerce, as defined in the Fair Labor Standards Act, as amended, and thus came under the minimum wage provisions of that Act which require payment of a wage rate of not less than 75 cents an hour on or after January 25, 1950. A survey of selected drug, medicine, and toilet preparations manufacturing establishments made by the Bureau of Labor Statistics as of May, 1950, (hereinafter referred to as the BLS survey) indicated that the 75 cent rate now in effect might not reflect the prevailing minimum wage in the Industry. This proceeding was, therefore, initiated for the purpose of considering an amendment to the determination for the Industry which will reflect the minimum wages now prevailing.

General. Notice of a hearing in this matter was published in the FEDERAL REGISTER (15 F. R. 8589). Copies of this notice and a press release announcing the hearing were mailed to trade associations, unions, and to individual companies in the Industry. In addition the press release was distributed to newspapers and trade publications.

This notice and release advised interested persons of the time and place at which they could appear and offer testimony: (1) As to what are the prevailing minimum wages in the Industry; (2) as to whether there should be included in any amended determination for this industry provision for employment of learners and/or apprentices at subminimum rates, and if so, in what occupations, at what subminimum rates, and with what limitations, if any, as to length of period and number or proportion of such subminimum rate employees; and (3) as to the propriety of the definition of the Industry in the current determination as "that Industry which manufactures or furnishes any of the following products:

"(1) Drugs, or medicinal preparations (other than food) intended for internal or external use in the diagnosis, treatment, or prevention of disease in, or to affect the structure or any function of, the body of man or other animals;

"(2) Dentrifices, cosmetics, perfume, or other preparations designed or intended for external application to the person for the purpose of cleansing, improving the appearance of, or refreshing the person.

"The foregoing shall not be deemed to include the manufacture or packaging of shaving cream, shampoo, essential (volatile) oils, glycerin, and soap, or the milling or packaging without further processing of crude botanical drugs."

The notice provided that copies of tables prepared from the BLS survey were available to interested persons upon request.

The hearing was held on January 9, 1951, pursuant to the notice. Representatives of employees and employers appeared at the hearing to present evidence and testimony, and the record was kept open for a specified period beyond the close of the hearing for receipt of additional data and briefs.

Among others present at the hearing were representatives of the following: The United Mine Workers District 50; the International Chemical Workers Union, AFL; the United Gas, Coke and Chemical Workers, CIO; the Proprietary Association; the Manufacturing Chemists Association, Inc.; the American Pharmaceutical Manufacturers Association; the Toilet Goods Association; the National Beauty and Barber Manufacturers Association; and representatives of the Vick Chemical Company and Merck and Company, Inc. In addition to the evidence and testimony presented at the hearing, the American Pharmaceutical Manufacturers Association, the American Drug Manufacturers Association, and Plough, Inc., submitted statements for the record after the close of the hearing.

Definition of industry. At the hearing the Toilet Goods Association recommended that the title of the Toilet Preparations Branch of the industry be changed to "Toilet Preparations and Cosmetics Branch." Representatives of labor and industry concurred in this proposal.

It is a common practice in the Industry to refer to such products as "Toilet Preparations and Cosmetics," and there are marked differences between prevailing minimum wage structures in the Toilet Preparations and Cosmetics Branch and the Branch manufacturing drugs and medicines. Moreover, it appears that products of these Branches are generally made and packaged in separate establishments. This proposed change would not alter the scope of the presently effective definition, but would contribute to clarity and comprehensiveness of title. Accordingly, that Branch of the industry which manufactures cosmetics, perfume and other preparations designed or intended for external application to the person for the purpose of cleansing, improving the appearance of, or refreshing the person shall hereafter be termed the "Toilet Preparations and Cosmetics Branch."

The Toilet Goods Association also urged that soapless shaving creams and soapless shampoos presently excluded should be included in this Branch. No opposition was voiced to this change, and the evidence available indicates that soapless shaving creams and shampoos are to a great extent manufactured and packaged by establishments in the Toilet Preparations and Cosmetics Branch. The present definition is, therefore, amended to include these two products in this Branch of the Industry. In accordance with the complete agreement of labor and management representatives, the present definition remains otherwise unchanged.

Minimum wages. The basic data on minimum wages in the Industry are contained in the BLS survey which was received as evidence at the hearing and discussed by the various witnesses who testified. Neither the unions nor the employers questioned the adequacy of the coverage or the accuracy of the survey, nor did they present any other representative body of wage data. A listing of negotiated contract wage increases since the time of the survey was presented at the hearing by the International Chemical Workers Union, AFL, for consideration along with the other evidence.

In the survey separate data were obtained and assembled for drug and medicine plants and for toilet preparations and cosmetics plants. The survey was limited to establishments employing 10 or more workers, and covered 510 out of an estimated 624 such establishments in the Industry. The returns in the Drug and Medicine Branch represented 83 percent of the establishments employing 93 percent of the workers in this Branch of the Industry. In the Toilet Preparations and Cosmetics Branch, the returns were representative of 80 percent of the establishments employing 88 percent of the employees. The data were tabulated for the United States as a whole, by regions, and by segments within the Industry. The most significant data are those showing the percentage distribution of plant workers by straight-time earnings (Tables 2 and 3), and distributions of plants (and of plant workers) by the number and percent of plant workers earning less than specified amounts per hour. (Tables 6 and 7).

Both management and labor agreed that separate wage rates should be established for the Drug and Medicine Branch of the Industry and for the Toilet Preparations and Cosmetics Branch. The evidence shows that there is a substantial difference between the wage structures in these two branches of the industry. Wages paid by the drug and medicine plants are higher than those paid by the toilet preparations and cosmetics plants, the medium rate being $1.26 for the former and $1.06 for the latter. According to the survey data 12.1 percent of the drug and medicine plant workers earned less than 90 cents per hour at the time of the survey, while 24.1 percent of the workers in the Toilet Preparations and Cosmetics Branch earned less than this wage rate. Over half of the employees in the Drug and Medicine Branch work in plants which, at the time of the survey, paid no workers (other than learners or apprentices) less than 90 cents an hour. Nearly two-thirds of the corresponding employees in the Toilet Preparations and Cosmetics Branch are in plants which reported the

lowest wage paid as less than 90 cents. Furthermore, production in these two Branches is separate and independent. Accordingly, the record requires establishment of separate rates for the Drug and Medicine Branch and for the Toilet Preparations and Cosmetics Branch.

The Proprietary Association proposed that a separate rate be established for those drugs and medicines made for professional use as distinguished from such products made for the public. The evidence, however, indicates the difficulty and impracticability of distinguishing the two groups for definitional and enforcement purposes. It appears that both types of products are made in at least fifty percent of the plants in this branch of the industry and that there are no wage rate differences in these plants based on the ultimate users of the products. Careful consideration of this proposal shows that it is neither reasonable nor necessary. No other proposal for separate rates for products of the Drug and Medicine Branch was made and the evidence in the record does not support any wage differentials within the branch on the basis of products.

The evidence does not appear to warrant determination of regional wage differentials in either Branch and none has been recommended by any of the interested parties.

Each union recommended determination of a specific minimum rate for the Drug and Medicine Branch. The United Mine Workers urged a minimum rate of $1.20 per hour based upon a study of existing contracts in the Industry. The International Chemical Workers, AFL, also advocated a $1.20 minimum wage rate, based partly on existing union contracts and partly on the BLS tabulations. The median of the minimum rates contained in this Union's contracts was stated to be $1.22 and the modal rate $1.29; and the weighted average of this Union's contract minima at the time of the survey was $1.10 an hour, to which, it was contended, a 10 cent average hourly wage increase received since the survey should properly be added to give the proposed $1.20 rate. The United Gas, Coke and Chemical Workers, CIO, advocated a minimum wage of $1.10 an hour, with a subminimum entrance rate of $1.05 for a period of 30 days. The Union took the position that the prevailing minimum rate for this Branch of the Industry should be somewhere between $1.05 and $1.15. By averaging these two figures the proposed $1.10 rate was computed.

The Associations did not make minimum rate recommendations at the hearing, but post-hearing recommendations were filed by the American Drug Manufacturers Association, January 29, 1951, advocating that a rate between 90 and 95 cents be established. The American Pharmaceutical Manufacturers Association in a statement filed March 2, 1951, urged that a 93 cents an hour rate be fixed. Neither association indicated the basis of its proposal, but insisted that any higher minimum wage rate would work serious hardship upon small manufacturers.

Tables 2 and 6 show clearly that the prevailing minimum wage was lower than $1.00 per hour as of May, 1950. Table 2 setting forth the percentage distribution of plant workers (excluding learners and apprentices) in the Drug and Medicine Branch by straight-time average hourly earnings, shows that 20 percent of the workers earned less than $1.00 an hour and 15.5 percent earned less than 95 cents an hour. Table 6 shows that 89.1 percent of the plants, employing 73.9 percent of the workers, had some workers earning less than $1.00 an hour. Accordingly, even if it is assumed that the Industry generally is paying the ten cent average hourly increase which union representatives stated had been received under their contracts since the survey, the rates recommended by the unions, ranging from $1.05 to $1.20 are not supported by the record.

Table 6 shows that as of May, 1950, approximately two thirds of the workers (65.6 percent) in this Branch were employed in plants which paid no workers less than 85 cents an hour and 53.3 percent were employed in plants which paid no workers less than 90 cents. The same table shows that a majority of the plants (231 out of 413, or 55.9 percent) paid some of their workers less than 80 cents. These plants employed, however, only 27.1 percent of the workers in this Branch of the Industry. Table 2 shows that 8.8 percent of the workers in this Branch received less than 85 cents an hour and that 12.1 percent of the workers received less than 90 cents an hour. In addition to the survey data, consideration has been given to the evidence presented at the hearing regarding wage increases in the Industry between the date of the survey and the time of the hearing. Evidence as to increases negotiated in union contracts and data obtained from sources such as the BLS monthly releases on Current Wage Developments indicate that, on the average, wages in this Branch have increased between 5 and 10 cents an hour. When such evidence is related to the survey data, it appears that the prevailing minimum wage lies within the 90–94 cent wage interval. A mathematically precise determination of the point within such interval at which the prevailing minimum will fall is not possible in view of the fact the BLS survey does not reflect wage payments by smaller than five-cent intervals. The evidence suggests, however, that the prevailing minimum would fall at or near the midpoint within such interval. The fact that one of the associations recommended a rate of 93 cents indicates that its own review of wages paid in the industry reveals a more precise basis for a decision than arbitrarily choosing the midpoint.

Accordingly, on the basis of the entire record, including evidence on wage increases since the survey, I have found that 93 cents an hour is the prevailing minimum wage rate in the Drug and Medicine Branch of the Industry.

For the Toilet Preparations and Cosmetics Branch the United Mine Workers recommended a minimum wage of $1.05 an hour with a subminimum entrance rate of $1.00 an hour for 30 days, based on their existing contracts. The same recommendation was made by the International Chemical Workers Union based on the higher rates in unionized plants and a projected ten-cent average increase between the date of the survey and issuance of the determination. The United Gas, Coke and Chemical Workers Union proposed a $1.00 minimum with a five-cent subminimum tolerance for 30 days.

The Toilet Goods Association proposed a minimum wage of 85 cents an hour with a subminimum tolerance of ten cents less for 90 days.

BLS Table 3 shows that 40.6 percent of the workers in the Toilet Preparations Branch of the Industry earned less than $1.00 an hour as of May, 1950, and that 32.1 percent of the workers earned less than 95 cents an hour. Table 7 shows that 84.8 percent of the establishments employing 75.7 percent of the workers in the Branch paid some workers less than 95 cents an hour. Even if the unions' estimate of an average hourly wage increase of ten cents since the survey is assumed to be industry-wide, it is clear from these data that a minimum hourly wage of $1.00 or more as proposed by the Unions is above the prevailing minimum rate for this Branch of the Industry.

BLS Table 7 reveals that 48.2 percent of the establishments with 67.0 percent of the workers have no workers earning less than 80 cents an hour. Table 3 shows that 11.0 percent of the workers in this Branch earned less than 80 cents at the time of the survey, and that 15.4 percent of the workers earned less than 85 cents an hour. Information obtained from the BLS and other sources indicates, however, that wages in this Branch have increased approximately five cents an hour, on the average, between the time of the survey and the time of the hearing.

On the basis of these considerations, I have determined that the prevailing minimum wage for the Toilet Preparations and Cosmetics Branch of the Industry is 85 cents an hour.

The record discloses that learners, beginners or probationary workers, and apprentices are not commonly employed at subminimum rates in the Drug and Medicine Branch. BLS Table 8 shows that learners were employed in only ten percent of the establishments and that such employment amounted to less than 0.1 percent of the total plant employment in the Industry. Testimony at the hearing made it clear there was no general practice of employing beginners or probationary workers at lower than base rates. The BLS survey indicates employment of only an insignificant number of apprentices, the great majority of which earn in excess of the minimum wage determined. Accordingly, no subminimum rates are authorized for workers in the Drug and Medicine Branch.

The Unions and the Associations testified that it is a common practice in the Toilet Preparations and Cosmetics Branch to have an entrance or hiring-in rate lower than the regular base minimum. Testimony at the hearing established that these workers are properly designated beginners and that they would not be properly designated as

learners in a true sense, and that no subminimum rate for learners is warranted. Although the BLS survey collected no data on such entrance rates, evidence at the hearing indicates the most common practice is to hire new workers at five cents below the base rate for a 30 day period, after which they are automatically increased to the base rate. It is clear that there is need for the establishment of a beginner's rate in this Branch of the Industry and that 80 cents an hour for a period of four weeks or 160 hours is reasonable.

The BLS survey showed no apprentices employed in this Branch of the Industry, and no subminimum rate for apprentices was recommended. Consequently, no provision is herein made for the employment of apprentices.

The regulations (41 CFR 201.1102) permit employment of handicapped workers at subminimum rates on contract work under the act, and this authorization was not an issue in the proceeding. It seems advisable to include in the determination, however, specific authorization for such employment.

Amendment of determination. After consideration of the entire record of this proceeding, the prevailing minimum wage determination for the Drug, Medicine and Toilet Preparation Industry is hereby amended to read as follows:

§ 202.28 *Drug, medicine, and toilet preparations and cosmetics industry—*(a) *Definition.* (1) The drug and medicine branch of the drug, medicine, and toilet preparations and cosmetics industry is defined as that industry which manufactures or furnishes any of the following products:

Drugs or medicinal preparations (other than food) intended for internal or external use in the diagnosis, treatment, or prevention of disease in, or to affect the structure or any function of, the body of man or other animals.

(2) The toilet preparations and cosmetics branch of the drug, medicine, and toilet preparations and cosmetics industry is defined as that industry which manufactures or furnishes any of the following products:

Dentifrices, cosmetics, perfume, shaving creams and shampoos which do not contain soap or soap synthetics, or other preparations designed or intended for external application to the person for the purpose of cleansing, improving the appearance of, or refreshing the person.

The foregoing shall not be deemed to include the manufacture or packaging of shaving cream and shampoo containing soap or soap synthetics, essential (volatile) oils, glycerin, and soap, or the milling or packaging without further processing of crude botanical drugs.

(b) *Minimum wages.* (1) The minimum wage for persons employed in the manufacture or furnishing of products of the drug and medicine branch of the drug, medicine, toilet preparations and cosmetics industry under contracts subject to the Walsh-Healey Public Contracts Act shall be 93 cents an hour arrived at either on a time or piece-rate basis.

(2) The minimum wage for persons employed in the manufacture or furnishing of products of the toilet preparations and cosmetics branch of the drug, medicine, and toilet preparations and cosmetics industry under contracts subject to the Walsh-Healey Public Contracts Act shall be 85 cents an hour arrived at either on a time or piece-rate basis.

(c) *Subminimum rates authorized.* (1) Beginners as defined in this paragraph may be employed in the toilet preparations and cosmetics branch for a period of four weeks or 160 hours at 80 cents per hour. A beginner for the purpose of this section is a person who has less than 160 hours experience in the Industry. Any previous employment in the Industry must be subtracted from the 160 hour period during which the beginners may be employed at rates below the minimum.

(2) Handicapped workers may be employed in the Industry at wages below the minimum rates upon the same terms and conditions as are prescribed for the employment of handicapped workers by the regulations of the Administrator of the Wage and Hour Division of the Department of Labor (29 CFR Parts 524 and 525), under section 14 of the Fair Labor Standards Act, as amended.

The Administrator of the Public Contracts Division is authorized to issue certificates under the Public Contracts Act for the employment of handicapped workers not subject to the Fair Labor Standards Act or subject to different minimum rates of pay under the two acts, at appropriate rates of compensation and in accordance with the standards and procedures prescribed by the applicable regulations issued under the Fair Labor Standards Act.

(d) *Effect on other obligations.* Nothing in this determination shall affect any obligations for the payment of minimum wages that an employer may have under any law or agreement more favorable to employees than the requirements of this determination.

(e) *Effective date.* This determination shall be effective and the minimum wages hereby established shall apply to all contracts subject to the Public Contracts Act, bids for which are solicited or negotiations commenced on or after February 17, 1952.

(Sec. 4, 49 Stat. 2038; 4 U. S. C. 38. Interprets or applies sec. 1, 49 Stat. 2036; 41 U. S. C. 35)

Signed at Washington, D. C., this 10th day of January 1952.

MAURICE J. TOBIN,
Secretary of Labor.

[F. R. Doc. 52-615; Filed, Jan. 16, 1952; 8:50 a. m.]

PART 202—MINIMUM WAGE DETERMINATIONS

SURGICAL INSTRUMENTS AND APPARATUS INDUSTRY

This matter is before the Department pursuant to the act of June 30, 1936 (49 Stat. 2036; 41 U. S. C. 35) entitled "An act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes," otherwise known as the Walsh-Healey Public Contracts Act. The currently effective wage determination for the Surgical Instruments and Apparatus Industry (15 F. R. 382) was based upon information indicating that substantially all employees in the Industry are engaged in commerce or in the production of goods for commerce, as defined in the Fair Labor Standards Act, as amended, and thus come under the minimum wage provisions of that act which require payment of a wage rate of not less than 75 cents per hour on and after January 25, 1950. A wage survey of surgical instruments and apparatus establishments made by the Manufacturers Surgical Trade Association as of April 1950 (hereinafter referred to as the Association survey) indicated that the 75 cent rate now in effect might not reflect the prevailing minimum wage in the industry. This proceeding was, therefore, initiated for the purpose of considering an amendment to the determination for the Industry which will reflect the minimum wages now prevailing.

General. Notice of a hearing in this matter was published in the FEDERAL REGISTER (15 F. R. 5964). Copies of the notice and a press release announcing the hearing were mailed to trade associations, unions, and to individual companies in the Industry. In addition, the press release was distributed to newspapers and trade publications.

This notice and release advised interested persons of the time and place at which they could appear and offer testimony: (1) As to what are the prevailing minimum wages in the Industry; (2) as to whether there should be included in any amended determination for this Industry provision for employment of learners and/or apprentices at subminimum rates, and if so, in what occupations, at what subminimum rates, and with what limitations, if any, as to length of period and number or proportion of such subminimum rate employees; and (3) as to the adequacy of the present definition of the Industry. Copies of tables prepared from the Association survey were made available to interested persons upon request.

The hearing was held on September 27, 1950, pursuant to the notice. Representatives of employers (including the Manufacturers Surgical Trade Association, hereinafter referred to as the Association) appeared at the hearing to present evidence and testimony, and the record was kept open for a specified period beyond the close of the hearing for receipt of additional data and briefs. In addition to the evidence and testimony presented at the hearing, the Association submitted additional wage data after the close of the hearing. No representatives of employees were present at the hearing and no briefs were presented on their behalf.

Definition of industry. The definition contained in the Notice of Hearing is the same as that contained in the original prevailing minimum wage determination for the Industry, issued in 1941. Apart from administration blood donor sets and intravenous solution sets, the record

shows general agreement as to the appropriateness of the present definition.

By letter, Don Baxter, Inc., urged that these sets be excluded from the scope of the definition on the grounds that low-paid unskilled workers are used in the manufacture of these sets, whereas more highly paid and more skilled workers are used in the manufacture of many other products of the Industry. Don Baxter, Inc., did not furnish wage data in support of its contention and the record does not indicate that plants producing these sets pay minimum wages lower than the rate determined in this decision to be the prevailing minimum wage in the Industry. The record shows that administration sets and similar apparatus are in considerable part assembled in plants which manufacture surgical instruments and apparatus and also that certain parts such as hypodermic needles are generally made in the Industry. These sets are clearly within the scope of the definition of the Industry.

On the basis of the record, I have concluded that the proposed definition contained in the Notice of Hearing should be adopted for the purposes of this determination.

Minimum wage. The basic data on minimum wages in the Industry are contained in the Association survey for April 1950 which was received as evidence at the hearing and was discussed by the various witnesses who testified. The survey covered establishments regardless of size, and included an estimated 85 percent of all the plant workers in the Industry. The most significant data are those showing percentage distribution of straight-time earnings (Exhibits D and E), distribution of establishments and workers by minimum rates (Exhibit F), and distribution of plants (and of plant workers) according to the proportion of plant workers in each establishment earning less than specified amounts per hour (Exhibit G). Supplementary data were supplied by the Association after the hearing concerning the characteristics of workers receiving less than 90 cents an hour.

The evidence in the record points to the importance of the 90–94 cents interval for workers other than those reported as learners. Over two-fifths of the workers (41.3 percent) in the survey were employed by plants with minimum rates in this interval, as contrasted with 43 percent in all lower intervals, and 15.7 percent in all higher intervals. Altogether, 57 percent of the workers were employed in plants which reported no workers receiving less than 90 cents an hour. Exhibit G also shows that less than one-third of the workers (31.5 percent) were employed in plants which paid any of their workers (other than those reported as learners) less than 80 cents, while the great majority (84.3 percent) of the workers were employed in plants which paid some of their workers less than 95 cents. Within this range between 80 cents and 95 cents, as indicated by Exhibit E, the most important concentration (3.9 percent of all workers) occurs within the 90–94 cents interval. Exhibit D shows that most of the workers in the 90–94 cent interval received 90 cents an hour.

Consideration has been given to the facts that 12.1 percent of the workers (other than those reported as learners) received less than 90 cents an hour, according to Exhibit E, and that slightly over three-fifths of the plants in the Industry, according to Exhibit G, reported some workers receiving less than 90 cents an hour. Because of these facts, additional information was obtained after the hearing concerning the employees other than those reported as learners receiving less than 90 cents an hour. The Association's economist reported relative to these workers that "many . . . were apparently what might be called 'probationary workers' working for a trial period." After consideration of the additional information furnished subsequent to the hearing, I have concluded that this summarization is correct.

The record indicates that the Industry is primarily concentrated in the New England and Middle Atlantic States, with nationwide distribution of products. An Industry spokesman at the hearing suggested that there appeared to be some regional variation in wage levels, as well as substantial differences within regions among plants making different kinds of products, etc. The Association did not recommend regional differentials or product differentials, and upon consideration of the entire record, I find that no such differentials are required.

On the basis of the record, I have concluded that the prevailing minimum wage for the Surgical Instruments and Apparatus Industry is 90 cents an hour.

At the hearing no wage data were presented concerning learners or beginners, but at the request of the Public Contracts Division, the Association furnished supplementary wage data for learners and for workers receiving less than 90 cents an hour. The record indicates that the Industry commonly pays new workers, for a probationary or orientation period, lower wages than older workers who may be performing the same type of work.

The supplemental data shows that 53 (64.6 percent) of the 82 plants included in the survey reported a subminimum rate for a beginning period. Four-fifths of the 53 plants reported a 75-cent starting rate. The majority (29 plants) of the reporting plants have a progression period of 3 months or less, with 3 months being the most common period (17 of the 29 plants reported a period of 3 months). The data shows that only one plant had both a subminimum rate less than 90 cents and more than 10 percent of its workers receiving a subminimum rate. The record, accordingly, clearly shows it is reasonable to permit the employment of beginners or probationary workers at a rate of not less than 75 cents an hour for a period not to exceed 480 hours, provided, such subminimum rate employees shall not exceed 10 percent of the employment in the plant.

Although the number of apprentices in the industry is relatively small there are some apprenticeable occupations in the industry and the Bureau of Apprenticeship reports some apprenticeship plans. In view of these facts and the Department's established policy to encourage the development of apprentice programs, I find that it is reasonable to allow apprentices to be employed at wages below 90 cents an hour but not below 75 cents, provided, the employment conforms with standards of the Federal Committee on Apprenticeship.

The regulations (41 CFR 201.1102) permit employment of handicapped workers at subminimum rates on contract work under the act and although this authorization was not an issue in the proceeding, it seems advisable to include in the determination specific authorization for such employment.

Amendment of determination. After consideration of the entire record of this proceeding, the prevailing minimum wage determination for the Surgical Instruments and Apparatus Industry is hereby amended to read as follows:

§ 202.48 *Surgical instruments and apparatus industry*—(a) *Definition.* The surgical instruments and apparatus industry is defined as that industry which manufactures or furnishes any instruments and apparatus used in, or in connection with, or in the aid of the practice of medicine and as particularly applied to surgery, such as surgical and diagnostic instruments and apparatus for medical and surgical treatment, including sutures, ligatures, and sterilizers for surgical purposes;

But not including: Electro-surgical instruments and apparatus in which electricity is the diagnostic, therapeutic or functioning element, such as X-ray, fluoroscope, and high frequency apparatus and equipment, ultra-violet and infra-red ray and other therapeutic and heating lamps, apparatus and equipment; orthopedic appliances, such as trusses, braces, supports, splints, artificial limbs, and elastic belts and stockings; and surgical dressings.

(b) *Minimum wages.* (1) The minimum wage for persons employed in the 48 states and the District of Columbia in the manufacture or furnishing of products of the surgical instruments and apparatus industry under contracts subject to the Walsh-Healey Public Contracts Act shall be 90 cents an hour arrived at either on a time or piece-rate basis.

(c) *Subminimum wages authorized.* (1) Beginners (probationary workers) as defined in this paragraph may be employed for 480 hours at wages below 90 cents an hour but not below 75 cents an hour arrived at either on a time or piece-rate basis, provided, the total number of employees so classified does not exceed 10 percent of the total number of employees in any one establishment in any given payroll or workweek. A beginner or probationary worker for the purpose of this section is a person who has less than 480 hours' experience in the plant in which he is employed. (2) Apprentices may be employed at wages below 90 cents an hour if their employment conforms with the standards of the Federal Committee on Apprenticeship; except that no apprentice may be employed at a rate lower than 75 cents an hour. (3) Handicapped workers may be employed at wages below the minimum rate upon the same terms and conditions as are prescribed for the

employment of handicapped workers by the regulations of the Administrator of the Wage and Hour Division of the Department of Labor (29 CFR Parts 524 and 525), under section 14 of the Fair Labor Standards Act, as amended.

The Administrator of the Public Contracts Division is authorized to issue certificates under the Public Contracts Act for the employment of handicapped workers not subject to the Fair Labor Standards Act or subject to different minimum rates of pay under the two acts, at appropriate rates of compensation and in accordance with the standards and procedures prescribed by the applicable regulations under the Fair Labor Standards Act.

(d) *Effect on other obligations.* Nothing in this determination shall affect any obligations for the payment of minimum wages that an employer may have under any law or agreement more favorable to employees than the requirements of this determination.

(e) *Effective date.* This determination shall be effective and the minimum wages hereby established shall apply to all contracts subject to the Public Contracts Act, bids for which are solicited or negotiations otherwise commenced on or after February 17, 1952.

(Sec. 4, 49 Stat. 2038; 41 U. S. C. 38. Interprets or applies sec. 1, 49 Stat. 2036; 41 U. S. C. 35)

Signed at Washington, D. C. this 10th day of January 1952.

MAURICE J. TOBIN,
Secretary of Labor.

[F. R. Doc. 52-614; Filed, Jan. 16, 1952; 8:50 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

Appendix—Public Land Orders

[Public Land Order 789]

ALASKA

RESERVING LANDS FOR USE OF THE ALASKA RAILROAD

By virtue of the authority contained in the act of March 12, 1914, 38 Stat. 305, 307 (48 U. S. C. 304) and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Subject to valid existing rights, the following-described public lands are hereby withdrawn from sale or other disposal and reserved for the use of the Alaska Railroad, Department of the Interior, as a railroad reserve:

Beginning at Corner No. 4, East Addition to Anchorage Townsite, coincident with the northwest corner of section 17, T. 13 N., R. 3 W., Seward Meridian, thence by metes and bounds:

S. 0° 08' E., 792.66 feet to intersection with center-line of an alley.

East, 208.52 feet to intersection with west boundary line of East "H" Street extended.

North, 210.00 feet to intersection with north boundary line of Seward Street.

East, 720.00 feet to intersection with west boundary line of East "I" Street.

North, 300.00 feet to intersection with south boundary line of Ship Street.

East, 1440.00 feet to intersection with west boundary line of East "L" Street.

North, 283.99 feet to intersection with section line between sections 8 and 17.

S. 89° 58' W., 2,370.37 feet to point of beginning, as shown on the supplemental plat of survey of the East Addition to Anchorage Town Site accepted August 30, 1941.

The tract described contains 22.82 acres.

OSCAR L. CHAPMAN,
Secretary of the Interior.

[F. R. Doc. 52-607; Filed, Jan. 16, 1952; 8:48 a. m.]

TITLE 46—SHIPPING

Chapter II—Federal Maritime Board, Maritime Administration, Department of Commerce

Subchapter C—Regulations Affecting Subsidized Vessels and Operators

[General Order 12, Rev. Supp. 2]

PART 281—INFORMATION AND PROCEDURE REQUIRED UNDER OPERATING-DIFFERENTIAL SUBSIDY AGREEMENTS

CURRENT FINANCIAL REPORTS

Section 281.1 (USMC General Order 12, Revised), published in the FEDERAL REGISTER issue of August 6, 1949 (14 F. R. 4875) is hereby further amended as follows:

By striking out the entire paragraph (f) and substituting in lieu thereof the following:

(f) *Current financial reports.* Current financial reports are to be submitted by each Operator in the manner described below:

(1) *Balance sheet.* Te be prepared as of March 31st, June 30th, September 30th and December 31st of each calendar year, in conformity with the specimen appended to the Uniform System of Accounts prescribed in General Order 22, Revised (15 F. R. 7935), and submitted in triplicate as soon as practicable but not later than seventy-five (75) days after each of the aforesaid dates.

(2) *Income sheet.* An income sheet shall be prepared for the period January 1 to March 31 of each calendar year, and from January 1 to the end of each succeeding quarter of the calendar year, in conformity with the specimen appended to the Uniform System of Accounts prescribed in General Order 22, Revised, and submitted in triplicate as soon as practicable but not later than seventy-five (75) days after the end of the respective periods. These statements shall include completed voyage accountings for all voyages which terminate during the period.

(3) *Vessel operating statements*—(i) *Individual voyage statements.* A separate vessel operating statement shall be prepared for each terminated voyage in conformity with the voyage operating statement provided for in the uniform Annual Report Form prescribed by the Maritime Administration. The statements for voyages which terminated in any one month shall be submitted prior to the close of the fourth month following, and shall be supported by summary statements as provided in subdivision (ii) of this subparagraph. These voyage statements shall be submitted in quadruplicate, in as complete form as possible in order that an accurate report of the results of the voyage will be furnished. To accomplish this, the vessel operating statements shall include all items of revenue and expense recorded prior to termination of the voyage and in the subsequent period extending through the third month following the month in which the voyage was terminated.

(ii) *Summary statements.* Summary statements are to be prepared and transmitted monthly in triplicate with the individual vessel operating statements. In addition to a principal summary statement for all vessel operations, separate summary statements are to be prepared for each route as outlined in the footnotes on the vessel operating statement provided for in the uniform Annual Report Form prescribed by the Maritime Administration.

(iii) *Statement reconciling income sheet with summary statements.* When submitting quarterly financial reports, a statement shall be furnished in the form prescribed by the Comptroller, Maritime Administration, reconciling the terminated voyage revenue and expense from all operations as reported in the income sheet of the prior period with the total voyage revenue and expense reported in the monthly principal summaries of the vessel operating statements for all voyages terminated in the months comprising the prior period, and also reconciling the amounts reported in the prior quarterly income sheet with the amounts reported in the current income sheet.

(4) *Effective dates for submission of revised statements.* The elimination of the monthly income sheet is effective with the period commencing July 1, 1951. The effective dates for the submission of the revised statements are as follows:

(i) *Individual voyage statements.* For all voyages terminating after December 31, 1951, or after commencement of subsidized operations, whichever is later.

(ii) *Summary vessel operating statements.* For each month in which voyages terminated after December 31, 1951, or after commencement of subsidized operations, whichever is later.

(iii) *Statement reconciling income sheet with summary statements.* At the end of the second quarterly period of a calendar year following commencement of subsidized operations: *Provided,* That the first statement shall be for the six months' period ended June 30, 1952, for the agreements then in effect.

(Sec. 204, 49 Stat. 1987 as amended; 46 U. S. C. 1114)

Dated: January 8, 1952.

[SEAL] E. L. COCHRANE,
Maritime Administrator.

[F. R. Doc. 52-642; Filed, Jan. 16, 1952; 8:54 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 10082]

PART 1—PRACTICE AND PROCEDURE

PART 3—RADIO BROADCAST SERVICES

MISCELLANEOUS AMENDMENTS

In the matter of amendment of Parts 1 and 3 of the Commission's rules, section 13 of the Standards of Good Engineering Practice Concerning Standard Broadcast Stations, section 9 of the Standards of Good Engineering Practice Concerning FM Broadcast Stations and section 10 of the Standards of Good Engineering Practice Concerning Television Broadcast Stations to provide for interchange of indicating instruments and operation without certain indicating instruments upon stated conditions; Docket No. 10082.

1. The above-entitled proceeding was instituted by the issuance of the Commission's notice of proposed rule making (FCC 51-1100) 16 F. R. 1161 on November 11, 1951, which proposed to amend the provisions of the Commission's rules and standards to eliminate requirements for application and authorization for temporary operation without the indicating instruments presently required by the Commission's rules under stated conditions for a period not to exceed 60 days to allow for the repair or replacement of such instruments. It was also proposed to amend the provisions of the Commission's rules to provide that requests for extensions of authority to operate without such indicating instruments for a period of more than 60 days must be submitted to the Engineers in Charge of the Commission's field offices.

2. Comments concerning the proposal were filed by Station KFAL and the National Association of Radio and Television Broadcasters. Station KFAL supported the adoption of the rules as proposed. NARTB supported the adoption of the proposed rules but requested a clarification in the wording of § 3.252 (b) (3), 3.253 (b) (3), 3.652 (b) (3) and 3.253 (b) (3) to prevent possible misinterpretation. Since the foregoing proposed rules are susceptible of erroneous interpretations they have been revised in accordance with the comments of NARTB.

3. It appearing that there were no other objections to the adoption of the proposed rules: *It is ordered,* This 9th day of January 1952, that effective January 24, 1952, Parts 1 and 3 of the Commission's rules and regulations and section 13 of the Standards of Good Engineering Practice Concerning Standard Broadcast Stations, section 9 of the Standards of Good Engineering Practice Concerning FM Broadcast Stations and section 10 of the Standards of Good Engineering Practice Concerning Television Broadcast Stations are amended as set forth below:

(Sec. 4, 48 Stat. 1066, as amended; 47 U. S. C. 154. Interprets or applies secs. 5, 303, 48 Stat. 1068, 1082, as amended; 47 U. S. C. 155, 303)

Released: January 11, 1952.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

1. Delete § 3.54 and substitute the following:

§ 3.54 *Operating power; direct measurement.* The antenna input power determined by direct measurement is the square of the antenna current times the antenna resistance at the point where the current is measured and at the operating frequency. Direct measurement of the antenna input power will be accepted as the operating power of the station, provided the data on the antenna resistance measurements are submitted under oath giving detailed description of the method used and the data taken. The antenna current shall be measured by an ammeter of accepted accuracy.[1] These data must be submitted to and approved by the Commission before any licensee will be authorized to operate by this method of power determination.[2] If any change is made in the antenna system or any change made which may affect the antenna system, the method of determining operating power shall be changed immediately to the indirect method. (See Further Requirements for Direct Measurements of Power.)

2. Delete § 3.55 and substitute the following:

§ 3.55 *Modulation.* (a) A licensee of a broadcast station will not be authorized to operate a transmitter unless it is capable of delivering satisfactorily the authorized power with a modulation of at least 85 percent. When the transmitter is operated with 85 percent modulation, not over 10 percent combined audio frequency harmonics shall be generated by the transmitter.

(b) Each standard broadcast station shall have in operation at the transmitter a modulation monitor of a type approved by the Commission. (See Approved Modulation Monitors and also Requirements for Approval of Modulation Monitors.)

(c) In the event that the modulation monitor becomes defective the station may be operated without the monitor pending its repair or replacement for a period not in excess of 60 days without further authority of the Commission: *Provided,* That:

(1) Appropriate entries shall be made in the operating log of station showing the date and time the monitor was removed from and restored to service.

(2) The Engineer in charge of the radio district in which the station is located shall be notified both immediately after the monitor is found to be defective and immediately after the repaired or replacement monitor has been installed and is functioning properly.

(3) The degree of modulation of the station shall be monitored with a cathode ray oscilloscope or other acceptable means.

(d) If conditions beyond the control of the licensee prevent the restoration of the monitor to service within the above allowed period, informal request in accordance with § 1.332 (d) of this chapter may be filed with the Engineer in Charge of the radio district in which the station is located for such additional time as may be required to complete repairs of the defective instrument.

(e) The operating percentage of modulation of all stations shall be maintained as high as possible consistent with good quality of transmission and good broadcast practice and in no case less than 85 percent on peaks of frequent recurrence during any selection which normally is transmitted at the highest level of the program under consideration.

3. Delete § 3.58 and substitute the following:

§ 3.58 *Indicating instruments.* (a) Each standard broadcast station shall be equipped with indicating instruments which conform with the specifications set forth in the Standards of Good Engineering Practice Concerning Standard Broadcast Stations for measuring the DC plate circuit current and voltage of the last radio frequency amplifier stage; the radio frequency base current of each antenna element: and, for stations employing directional antenna systems, the radio frequency current at the point of common input to the directional antenna. (See "Indicating Instruments Pursuant to § 3.58" in the Standards for Good Engineering Practice Concerning Standard Broadcast Stations.)

(b) In the event that any one of these indicating instruments becomes defective when no substitute which conforms with the required specifications is available, the station may be operated without the defective instrument pending its repair or replacement for a period not in excess of 60 days without further authority of the Commission: *Provided,* That:

(1) Appropriate entries shall be made in the operating log of the station showing the date and time the meter was removed from and restored to service.

(2) The Engineer in Charge of the radio district in which the station is located shall be notified both immediately after the instrument is found to be defective and immediately after the repaired or replacement instrument has been installed and is functioning properly.

(3) If the defective instrument is the antenna current meter of a nondirectional station which does not employ a remote antenna ammeter, or if the defective instrument is the common point meter of a station which employs a directional antenna, and does not employ a remote common point meter, the oper-

[1] See Indicating Instruments pursuant to § 3.58.

[2] Formal application required. See Standards of Good Engineering Practice for form number.

ating power shall be determined by the indirect method in accordance with § 3.52 during the entire time the station is operated without the antenna current meter or common point meter. However, if a remote antenna ammeter or a remote common point meter is employed and the antenna current meter or common point meter becomes defective, the remote meter may be used in determining operating power by the direct method pending the return to service of the regular meter, provided other meters maintained at same value previously employed.

(c) If conditions beyond the control of the licensee prevent the restoration of the meter to service within the above allowed period, informal request in accordance with § 1.332 (d) of this chapter may be filed with the Engineer in Charge of the radio district in which the station is located for such additional time as may be required to complete repairs of the defective instrument.

(d) Remote antenna ammeters and remote common point meters are not required therefore authority to operate without them is not necessary. However if a remote antenna ammeter or common point meter is employed and becomes defective, the antenna base currents may be read and logged once daily for each mode of operation, pending the return to service of the regular remote meter.

4. Delete § 3.60 and substitute the following:

§ 3.60 *Frequency monitor.* (a) Each standard broadcast station shall have in operation at the transmitter a frequency monitor independent of the frequency control of the transmitter. The frequency monitor shall be of a type approved by the Commission and shall have a stability and accuracy of at least five parts per million. (See Approved Frequency Monitors and also Requirements for Approval of Frequency Monitors.)

(b) In the event that the frequency monitor becomes defective the station may be operated without the monitor pending its repair or replacement for a period not in excess of 60 days without further authority of the Commission: *Provided,* That:

(1) Appropriate entries shall be made in the operating log of the station showing the date and time the monitor was removed from and restored to service.

(2) The Engineer in charge of the radio district in which the station is located shall be notified both immediately after the monitor is found to be defective and immediately after the repaired or replacement monitor has been installed and is functioning properly.

(3) The frequency of the station shall be measured by an external source at least once each seven days and the results entered in the station log.

(c) If conditions beyond the control of the licensee prevent the restoration of the monitor to service within the above allowed period, informal request in accordance with § 1.332 (d) of this chapter may be filed with the Engineer in Charge of the radio district in which the station is located for such additional time as may be required to complete repairs of the defective instrument.

5. Delete § 3.252 and substitute the following:

§ 3.252 *Frequency monitor.* (a) Each FM broadcast station shall have in operation at the transmitter a frequency monitor independent of the frequency control of the transmitter. The frequency monitor shall be of a type approved by the Commission. (See Approved Frequency Monitors and also Requirements for Type Approval of Frequency Monitors in the Standards of Good Engineering Practice Concerning FM Broadcast Stations.)

(b) In the event that the frequency monitor becomes defective the station may be operated without the monitor pending its repair or replacement for a period not in excess of 60 days without further authority of the Commission: *Provided,* That:

(1) Appropriate entries shall be made in the operating log of the station showing the date and time the monitor was removed from and restored to service.

(2) The Engineer in charge of the radio district in which the station is located shall be notified both immediately after the monitor is found to be defective and immediately after the repaired or replacement monitor has been installed and is functioning properly.

(3) The frequency of the station shall be compared with an external frequency source of known accuracy at sufficiently frequent intervals to insure that the frequency is maintained within the tolerance prescribed in § 3.269. An entry shall be made in the station log as to the method used and the results thereof.

(c) If conditions beyond the control of the licensee prevent the restoration of the monitor to service within the above allowed period, informal request of the licensee prevent the restoration in accordance with § 1.332 (d) of this chapter may be filed with the Engineer in Charge of the radio district in which the station is located for such additional time as may be required to complete repairs of the defective instrument.

6. Delete § 3.253 and substitute the following:

§ 3.253 *Modulation monitor.* (a) Each FM broadcast station shall have in operation at the transmitter a modulation monitor of a type approved by the Commission. (See Approved Frequency Monitors and also Requirements for Type Approval of Modulation Monitors in the Standards of Good Engineering Practice Concerning FM Broadcast Stations.)

(b) In the event that the modulation monitor becomes defective the station may be operated without the monitor pending its repair or replacement for a period not in excess of 60 days without further authority of the Commission: *Provided,* That:

(1) Appropriate entries shall be made in the operating log of the station showing the date and time the monitor was removed from and restored to service.

(2) The Engineer in charge of the radio district in which the station is located shall be notified both immediately after the monitor is found to be defective and immediately after the repaired or replacement monitor has been installed and is functioning properly.

(3) During the period when the station is operated without the modulation monitor the licensee shall provide other suitable means for insuring that the modulation is maintained within the tolerance prescribed in § 3.268.

(c) If conditions beyond the control of the licensee prevent the restoration of the monitor to service within, the above allowed period, informal request in accordance with § 1.332 (d) of this chapter may be filed with the Engineer-in-charge of the radio district in which the station is located for such additional time as may be required to complete repairs of the defective instrument.

7. Amend § 3.257 as follows: Delete paragraph (c) and redesignate paragraph (d) as paragraph (c).

8. Add new § 3.258 as follows:

§ 3.258 *Indicating instruments.* (a) Each FM broadcast station shall be equipped with indicating instruments, which conform with the specifications set forth in the Standards of Good Engineering Practice Concerning FM Broadcast Stations, for measuring the direct plate voltage and current of the last radio stage and the transmission line radio frequency current, voltage or power. (See "Indicating Instruments Pursuant to § 3.258" in the Standards of Good Engineering Practice Concerning FM Broadcast Stations.)

(b) In the event that any one of these indicating instruments becomes defective when no substitute which conforms with the required specifications is available, the station may be operated without the defective instrument pending its repair or replacement for a period not in excess of 60 days: *Provided,* That:

(1) Appropriate entries shall be made in the operating log of the station showing the date and time the meter was removed from and restored to service.

(2) The Engineer in charge of the radio district in which the station is located shall be notified immediately after the instrument is found to be defective and immediately after the repaired or replaced instrument has been installed and functioning properly.

(3) If the defective instrument is a plate voltmeter or plate ammeter in the last radio stage, the operating power shall be maintained by means of the radio frequency transmission line meter.

(c) If conditions beyond the control of the licensee prevent the restoration of the meter to service within the above allowed period, informal request may be filed in accordance with § 1.332 (d) of this chapter with the Engineer in charge of the radio district in which the station is located for such additional time as may be required to complete repairs of the defective instrument.

9. Delete § 3.552 and substitute the following:

§ 3.552 *Frequency monitor.* (a) Each non-commercial FM broadcast station licensed for transmitter power output above 10 watts shall have in operation at the transmitter a frequency monitor

independent of the frequency control of the transmitter. The frequency monitor shall be of a type approved by the Commission. (See Approved Frequency Monitors and Requirements for Type Approval of Frequency Monitors in the Standards of Good Engineering Practice Concerning FM Broadcast Stations.)

(b) In the event that the frequency monitor becomes defective the station may be operated without the monitor pending its repair or replacement for a period not in excess of 60 days without further authority of the Commission: *Provided,* That:

(1) Appropriate entries shall be made in the operating log of the station showing the date and time the monitor was removed from and restored to service.

(2) The Engineer in Charge of the radio district in which the station is located shall be notified both immediately after the monitor is found to be defective and immediately after the repaired or replacement instrument has been installed and is functioning properly.

(3) The frequency of the station shall be compared with an external frequency source of known accuracy at sufficiently frequent intervals to insure that the frequency is maintained within the tolerance prescribed in § 3.568. An entry shall be made in the station log as to the method used and the results thereof.

(c) If conditions beyond the control of the licensee prevent the restoration of the monitor to service within the above-allowed period, informal request may be filed in accordance with § 1.332 (d) of this chapter with the Engineer in Charge of the radio district in which the station is located for such additional time as may be required to complete repairs of the defective instrument.

(d) The licensee of each non-commercial educational FM broadcast station licensed for transmitter power output of 10 watts or less shall provide for the measurement of the station frequency by a means independent of the frequency control of the transmitter. The station frequency shall be measured (1) when the transmitter is initially installed, (2) at any time the frequency determining elements are changed, and (3) at any time the licensee may have reason to believe the frequency has shifted beyond the tolerance specified by the Commission's rules.

10. Delete § 3.553 and substitute the following:

§ 3.553 *Modulation monitor.* (a) Each non-commercial FM broadcast station licensed for transmitter power output above 10 watts shall have in operation at the transmitter a modulation monitor of a type approved by the Commission. (See Approved Modulation Monitors and also Requirements for Type Approval of Modulation Monitors in the Standards of Good Engineering Practice Concerning FM Broadcast Stations.)

(b) In the event that the modulation monitor becomes defective the station may be operated without the monitor pending its repair or replacement for a period not in excess of 60 days: *Provided,* That:

(1) Appropriate entries shall be made in the operating log of the station showing the date and time the monitor was removed from and restored to service.

(2) The Engineer in charge of the radio district in which the station is located shall be notified both immediately after the monitor is found to be defective and immediately after the repaired or replacement monitor has been installed and is functioning properly.

(3) During the period when the station is operated without the modulation monitor the licensee shall provide other suitable means for insuring that the modulation is maintained within the tolerance prescribed in § 3.568.

(c) If conditions beyond the control of the licensee prevent the restoration of the monitor to service within the above allowed period, informal request may be filed in accordance with § 1.332 (d) of this chapter with the Engineer in charge of the radio district in which the station is located for such additional time as may be required to complete repairs of the defective instrument.

(d) The licensee of each non-commercial educational FM broadcast station licensed for transmitter power output of 10 watts or less shall provide a percentage modulation indicator or a calibrated program level meter from which a satisfactory indication of the percentage of modulation of the transmitter can be determined.

11. Amend § 3.557 as follows: Delete paragraph (c) and redesignate paragraph (d) as paragraph (c).

12. Add new § 3.558 as follows:

§ 3.558 *Indicating instruments.* (a) Each non-commercial FM broadcast station licensed for transmitter power above 10 watts shall be equipped with indicating instruments, which conform with the specifications set forth in the Standards of Good Engineering Practice Concerning FM Broadcast Stations for measuring the direct plate voltage and current of the last radio stage and the transmission line radio frequency current, voltage, or power. (See Indicating Instruments Pursuant to § 3.258 in the Standards of Good Engineering Practice Concerning FM Broadcast Stations.)

(b) In the event that any one of these indicating instruments becomes defective when no substitute which conforms with the required specifications is available, the station may be operated without the defective instrument pending its repair or replacement for a period not in excess of 60 days: *Provided,* That:

(1) Appropriate entries shall be made in the operating log of the station showing the date and time the meter was removed from and restored to service.

(2) The Engineer in charge of the radio district in which the station is located shall be notified both immediately after the instrument is found to be defective and immediately after the repaired or replaced instrument has been installed and functioning properly.

(3) If the defective instrument is a plate voltmeter or plate ammeter in the last radio stage, the operating power shall be maintained by means of the radio frequency transmission line meter.

(c) If conditions beyond the control of the licensee prevent the restoration of the meter to service within the above allowed period, informal request may be filed in accordance with § 1.332 (d) of this chapter with the Engineer in charge of the radio district in which the station is located for such additional time as may be required to complete repairs of the defective instrument.

13. Delete § 3.652 and substitute the following:

§ 3.652 *Frequency monitors.* (a) Each television broadcast station shall have in operation at the transmitter visual and aural frequency monitors independent of the frequency control of the transmitters.

(b) In the event that the visual or aural frequency monitor becomes defective the station may be operated without the monitor pending its repair or replacement for a period not in excess of 60 days without further authority of the Commission: *Provided,* That:

(1) Appropriate entries shall be made in the operating log of the station to show the date and time the monitor was removed from and restored to service.

(2) The Engineer in charge of the radio district in which the station is located shall be notified both immediately after the monitor is found to be defective and immediately after the repaired or replacement monitor has been installed and is functioning properly.

(3) The frequency of the station shall be compared with an external frequency-source of known accuracy at sufficient frequency intervals to insure that the frequency is maintained within the tolerance prescribed in § 3.668. An entry shall be made in the station log as to the method used and the results thereof.

(c) If conditions beyond the control of the licensee prevent the restoration of the monitor to service within the above allowed period, informal request may be filed in accordance with § 1.332 (d) of this chapter with the Engineer in charge of the radio district in which the station is located; for such additional time as may be required to complete repairs of the defective instrument.

14. Delete § 3.653 and substitute the following:

§ 3.653 *Modulation monitors.* (a) Each television broadcast station shall have in operation at the transmitter a modulation monitor for the aural transmitter. There shall also be sufficient monitoring equipment for the visual signal to determine that the signal complies with the Standards of Good Engineering Practice Concerning Television Broadcast Stations.

(b) In the event that the modulation monitor for the aural transmitter or the monitoring equipment for the visual signal become defective the station may be operated without the defective monitor or monitoring equipment pending repair or replacement for a period not in excess of 60 days; *Provided,* That:

(1) Appropriate entries shall be made in the operating log of the station to show the date and time the aural modulation monitor or visual monitoring equipment was removed from and restored to service.

(2) The Engineer in charge of the radio district in which the station is located shall be notified both immediately after the aural modulation monitor or visual monitoring equipment is found to be defective and immediately after the repaired or replacement monitor or monitoring equipment has been installed and is functioning properly.

(3) During the period when the station is operated without the aural modulation monitor or visual monitoring equipment, the licensee shall provide other suitable means for insuring that the aural modulation is maintained within the tolerance prescribed in § 3.667 and that the visual signal is maintained in accordance with the Standards of Good Engineering Practice Concerning Television Broadcast Stations.

(c) If conditions beyond the control of the licensee prevent the restoration of the monitor or monitoring equipment to service within the above allowed period, informal request in accordance with § 1.332 (d) of this chapter may be filed with the Engineer in charge of the radio district in which the station is located for such additional time as may be required to complete repairs of the defective instrument or equipment.

15. Amend § 3.657 as follows: Delete paragraph (c) and redesignate paragraph (d) as paragraph (c).

16. Add new § 3.658 as follows:

§ 3.658 *Indicating instruments.* (a) Each television broadcast station shall be equipped with indicating instruments which conform with the specifications set forth in the Standards of Good Engineering Practice Concerning TV Broadcast Stations for measuring the direct plate voltage and current of the last radio stage of the visual and aural transmitters and the transmission line radio frequency current, voltage or power of both transmitters. (See Indicating Instruments Pursuant to § 3.658 in the Standards of Good Engineering Practice Concerning Television Broadcast Stations.)

(b) In the event that any one of these indicating instruments becomes defective when no substitute which conforms with the required specifications is available, the station may be operated without the defective instrument pending its repair or replacement for a period not in excess of 60 days: *Provided,* That:

(1) Appropriate entries shall be made in the operating log of the station showing the date and time the meter was removed from and restored to service.

(2) The Engineer in charge of the radio district in which the station is located shall be notified both immediately after the instrument is found to be defective and immediately after the repaired or replacement instrument has been installed and is functioning properly.

(3) If the defective instrument is a plate voltmeter or plate ammeter in the last radio stage, the operating power shall be maintained by means of the radio frequency transmission line meter.

(c) If conditions beyond the control of the licensee prevent the restoration of the meter to service within the above allowed period, informal request may be filed in accordance with § 1.332 (d) of this chapter with the Engineer in charge of the radio district in which the station is located for such additional time as may be required to complete repairs of the defective instrument.

17. Amend section 13 of the Standards of Good Engineering Practice Concerning Standard Broadcast Stations as follows: Delete first two unnumbered paragraphs of section 13 and substitute therefor the following:

The following requirements and specifications shall apply to indicating instruments used by standard broadcast stations:

No change in paragraph A.
No change in paragraph B.
No change in paragraph C.
Delete paragraph D.
Redesignate paragraph E as paragraph D.
Redesignate paragraph F as paragraph E.
Redesignate paragraph G as paragraph F.
Redesignate paragraph H as paragraph G.

18. Amend section 9 of the Standards of Good Engineering Practice Concerning FM Broadcast Stations as follows:

Change title to read: "SEC. 9. *Indicating instruments pursuant to § 3.258.*"

Delete first unnumbered paragraph of section 9.

No change in second unnumbered paragraph.
No change in paragraph A.
No change in paragraph B.
No change in paragraph C.
Delete paragraph D.
Redesignate paragraph E as paragraph D.
Redesignate paragraph F as paragraph E.
Redesignate paragraph G as paragraph F.

19. Amend section 10 of the Standards of Good Engineering Practice Concerning Television Broadcast Stations as follows: Delete section 10 of the Standards Concerning Television Broadcast Stations and substitute the following:

SEC. 10. *Indicating instruments pursuant to § 3.658.* A. The following requirements and specifications shall apply to indicating instruments used by television broadcast stations.

(1) Length of scale shall be not less than $2\frac{3}{10}$ inches.

(2) Accuracy shall be at least 2 percent of the full scale reading.

(3) Scale shall have at least 40 divisions.

(4) Full scale reading shall be not greater than five times the minimum normal indication.

No specifications are prescribed at this time regarding the peak indicating device required by section 11B (1) of these standards.

B. No required instrument the accuracy of which is questionable shall be employed. Repairs and calibration of instruments shall be made by the manufacturer, or by an authorized instrument repair service of the manufacturer, or by some other properly qualified or equipped instrument repair service. In any case, the repaired instrument must be supplied with a certificate of calibration.

C. Recording instruments may be employed in addition to the indicating instruments to record the direct plate current and/or voltage to the last radio stage provided that they do not affect the operation of the circuits or accuracy of the indicating instruments. If the records are to be used in any proceeding before the Commission, as representative of operation, the accuracy must be the equivalent of the indicating instruments and the calibration shall be checked at such intervals as to insure the retention of such accuracy.

D. The function of each instrument used in the equipment shall be clearly and permanently shown on the instrument itself or on the panel immediately adjacent thereto.

20. Amend § 1.332 of the rules as follows:

a. Delete § 1.332 (b) (8) and substitute the following:

(8) Temporary operation without specified items of equipment or with auxiliary equipment:

(i) Operation without thermometer in automatic temperature control chamber.

(ii) Operation with temporary antenna system.

(iii) Operation with auxiliary transmitter as main transmitter.

b. Add new § 1.332 (d) as follows:

(d) Requests from broadcast stations for extension of authority to operate without any of the following indicating instruments should be made by informal application to the Engineer in Charge of the radio district in which the station is located. Such requests must contain information as to when and what steps were taken to repair or replace the defective instrument.

(i) Frequency monitor.

(ii) Modulation monitor.

(iii) Plate ammeter or voltmeter.

(iv) Base current meter or common point meter.

(v) Transmission line meter for FM and Television stations.

[F. R. Doc. 52-653; Filed, Jan. 16, 1952; 8:58 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR Part 927]

[Docket No. AO-71-A-22]

HANDLING OF MILK IN THE NEW YORK METROPOLITAN MILK MARKETING AREA

NOTICE OF HEARING ON PROPOSED AMENDMENTS TO THE TENTATIVE AGREEMENT AND TO THE ORDER, AS AMENDED

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of a public hearing to be held at the Onondaga County War Memorial Auditorium (Assembly Room) in Syracuse, New York on January 22, 1952, beginning at 10:15 a. m., e. s. t., for the purpose of receiving evidence with respect to the proposed amendment hereinafter set forth, or appropriate modifications thereof, to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the New York metropolitan milk marketing area, and any other proposal to amend those provisions of such marketing agreement and order relating to the pool or nonpool status of a plant subject to another Federal order and the payments required to be made into the producer settlement fund with respect to milk or milk products from such sources. This proposed amendment has not received the approval of the Secretary of Agriculture.

Proposed by Milk Dealers' Association of Metropolitan New York, Inc., and Milk Handlers and Processors Association, Inc.

Amend § 927.27 by adding a third proviso, as follows: *"Provided, further,* That any plant shipping I-A milk to the marketing area, which plant operates under an individual handler pool and is subject to another order of the Secretary, shall be a pool plant to the extent that Class I-A milk is shipped to the marketing area, shall be a nonpool plant in respect to milk not so shipped, and farmers delivering the milk directly to such plant shall be producers only to the extent of the I-A shipments."

Copies of this notice of hearing, the said order, as amended, and the said tentative marketing agreement may be procured from the Market Administrator, 205 East 42d Street, New York 17, New York, or from the Hearing Clerk, Room 1353, South Building, United States Department of Agriculture, Washington 25, D. C., or may be there inspected.

Dated: January 14, 1952.

[SEAL] F. R. BURKE,
Acting Assistant Administrator.

[F. R. Doc. 52-667; Filed, Jan. 16, 1952; 8:58 a. m.]

[7 CFR Part 944]

[Docket No. AO-105]

HANDLING OF MILK IN THE QUAD CITIES MARKETING AREA

NOTICE OF POSTPONEMENT OF HEARING ON PROPOSED AMENDMENTS TO THE TENTATIVE MARKETING AGREEMENT AND TO THE ORDER, AS AMENDED

Notice is hereby given that the hearing on proposed amendments to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Quad Cities marketing area originally scheduled to begin at 10:00 a. m., c. s. t., January 15, 1952 (17 F. R. 93) in the Council Chambers, Rock Island City Hall, Rock Island, Illinois, is hereby indefinitely postponed, at the request of Illinois-Iowa Milk Producers Association and Quality Milk Association.

Interested parties will be given notice of the time and place of such hearing at least fifteen days prior to the date set.

Done at Washington, D. C., this the 11th day of January 1952.

[SEAL] ROY W. LENNARTSON,
Assistant Administrator, Production and Marketing Administration.

[F. R. Doc. 52-629; Filed, Jan. 16, 1952; 8:53 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 1]

[Docket No. 10107]

ANNUAL REPORT FORM APPLICABLE TO STANDARD BROADCAST, FM, TELEVISION AND INTERNATIONAL STATIONS

NOTICE OF PROPOSED RULE MAKING

In the matter of Amendment of Schedules 10-A and 10-B (Employees and Their Compensation) of Annual Report Form 324; applicable to Standard Broadcast, FM, Television and International Stations; Docket No. 10107.

1. Notice is hereby given of proposed rule making in the above-entitled matter.

2. It is proposed to delete Schedules 10-A and 10-B of Annual Report Form 324, applicable to standard broadcast, FM, television, and international stations, and to substitute Schedule 10 as revised. A copy of revised Schedule 10 and the accompanying instructions are appended herewith.[1] The purpose of this revision is twofold: To obtain specific television occupational data which heretofore have not been readily available; and to simplify the reporting and tabulation of the employment and wage information contained in the schedules. These changes have been developed jointly with the Bureau of Labor Statistics, United States Department of Labor, which handles the processing, tabulation, and publication of the data.

[1] Filed as part of the original document.

3. The main changes in the report include the following: Consolidation of 10-A and 10-B into a single schedule; substantial reduction in the amount of detail in the reporting of total actual weekly hours and compensation; requirement of a single report if two or more stations are operated in the same community in lieu of individual reports; provision for the reporting of scheduled weekly hours and scheduled weekly compensation of each full-time staff employee in a number of selected occupations; and a change in the reporting date from a middle week in October to the week ending nearest March 15.

4. Annual Report Form 324 as prescribed by § 1.341 (a) of the Commission's rules and regulations. Authority for the issuance of the proposed revised schedule is contained in sections 303 (r) and 308 (b) of the Communications Act of 1934, as amended.

5. Any interested party who is of the opinion that the proposed amendment should not be adopted, or should not be adopted in the manner proposed herein, may file with the Commission on or before February 18, 1952, a statement or brief setting forth his comments. At the same time persons favoring the amendment as proposed may file statements in support thereof. Statements or briefs in reply to the original comments may be filed on or before February 29, 1952. Before taking action in the matter the Commission will consider all such comments that are presented and, if any comments are submitted which appear to warrant the holding of oral argument, notice of the time and place of such oral argument will be given.

6. In accordance with the provisions of § 1.764 of the Commission's rules and regulations, an original and fourteen copies of all statements or briefs filed, plus one extra copy for each party to the proceeding in the case of comments in reply to the original statements or briefs, shall be furnished to the Commission.

Adopted: January 9, 1952.

Released: January 11, 1952.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 52-651; Filed, Jan. 16, 1952; 8:57 a. m.]

[47 CFR Parts 2, 7, 8, 10, and 16]

[Docket No. 10105]

FREQUENCY ALLOCATION CHANGES

NOTICE OF PROPOSED RULE MAKING

In the matter of amendments of Parts 2, 7, 8, 10 and 16 of the Commission's rules and regulations; Docket No. 10105.

1. Notice is hereby given of proposed rule making in the above-entitled matter.

2. Proposed amendments to Parts 2, 7, 8, 10 and 16 of the Commission's rules are set forth below.

3. Parts 7 and 8 of the Commission's rules which became effective on July 23, 1951, authorize the assignment of two duplex radio-channels in the VHF band (152–162 Mc) for radiotelephone ship-shore public correspondence in accordance with certain international considerations and certain limiting factors set forth in Part 2 of the Commission's rules. Comments received by the Commission in connection with Docket 9797 concerning the revision of Parts 7 and 8 of the maritime rules indicated a substantial requirement for certain changes in the VHF maritime mobile frequency allocation. Because of the restrictions contained in Part 2 of the rules on the frequencies involved, however, it is not possible to satisfy the requests for such changes in Parts 7 and 8 without first effecting a change in the Commission's table of frequency allocations in Part 2.

4. The proposed amendments to Parts 2, 7, 8, and 16 would make the coast station frequency 161.9 Mc available for maritime public correspondence in the Chicago, Illinois area, where its use is presently prohibited due to the allocation of 161.91 Mc in Chicago, Illinois, to the Land Transportation Radio Service. The frequency 161.9 Mc for use by coast stations, paired with 157.4 Mc for ship station is, in accordance with informal arrangements between the United States, Canada and certain other countries, a common operational channel for ship-shore public correspondence. The unavailability of this channel in the Chicago area apparently will confront both domestic and foreign users of the VHF maritime telephone service on the Great Lakes with a highly undesirable equipment and operating complexity. This situation, together with related assignment restrictions in Parts 7 and 8, limit that important port to the use of a single duplex channel. The proposal to make the frequency 161.9 Mc available for ship-shore public correspondence in the area of Chicago, Illinois would necessitate at the same time the deletion of the allocation of the frequency 161.91 Mc to the Land Transportation Radio Services in that area.

5. To date, no assignments have been made in the Land Transportation Radio Services (Railroad Radio Service) on this frequency even though it has been available for railroad use at Chicago continuously since December 1945.

On the other hand, arrangements have been initiated and activities are in progress looking to immediate use of the frequency 162.0 Mc by an existing public coast station at Chicago which, for some time, has been licensed on an experimental basis to serve numerous ships on this frequency in that area. The same degree of activity exists in regard to proposed early use of both 161.9 Mc and 162.0 Mc by the licensees of existing public coast stations at other major ports on the Great Lakes. All other available ship-shore public correspondence channels useful for short-distance telephony on the Great Lakes are intensely utilized in handling daily peak message traffic for this service during the navigation season and there appears to be definite need for additional ship-shore channels for this service. The deletion of 161.91 Mc from those frequencies available to the Land Transportation Radio Services (Railroad Radio Service) at Chicago, as a means of improving the maritime telephone service on lower Lake Michigan, would not disturb or cause the closure of any stations now authorized or operating in any radio service.

6. The proposed amendments also involve the sbstitution of the frequency 157.3 Mc in place of the frequency 157.1 Mc which is presently available for ship-to-shore communication. As proposed, the two duplex public correspondence channels would be (1) 161.9 Mc coast paired with 157.4 Mc ship and (2) 162.0 Mc coast paired with 157.3 ship. Certain provisions contained at present in Part 2 regarding the sequence of assignment of the coast station frequencies in the 152–162 Mc band and restrictions involving their use would be deleted. The proposal, if adopted, would make the frequency 162.0 Mc also available for non-government use without the present limitation of "non-interference to government stations."

7. The proposed amendments to Part 10 of the rules would permit the continued secondary use of the frequencies 157.05 and 157.11 Mc by stations now licensed to use these frequencies in the Highway Maintenance Radio Service, provided no harmful interference is caused to any maritime mobile radio operation. No new stations in this latter service, however, would be licensed to use the frequencies 157.05 and 157.11 Mc. In lieu of these frequencies, the proposed amendment would permit highway maintenance stations to use the frequencies 157.29 and 157.35 Mc on a secondary basis subject to the condition that no harmful interference will be caused to the maritime mobile service.

8. These proposed amendments to the rules appear desirable for the purpose of providing a greater degree of uniformity in the matter of assignment of the VHF maritime public correspondence duplex frequencies through the deletion of certain undesirable limitations involving their assignable locations and degree of use. The proposed adjacent-channel ship station frequency assignments should provide for some degree of future expansion of the maritime service by making it possible in the future, at least from the regulatory point of view, to subdivide the frequency spectrum between the respective ship and shore duplex channels. Therefore, the Commission proposes to amend its rules and regulations as set forth below.

9. The proposed amendments to Parts 2, 7, 8, 10 and 16 are issued under authority of sections 4 (i), 303 (c), (f), and (r) of the Communications Act of 1934, as amended.

10. Any interested party who is of the opinion that the proposed amendments should not be adopted or should not be adopted in the manner proposed herein, may file with the Commission on or before February 11, 1952, a statement or brief setting forth his comments. At the same time, persons favoring the amendment as proposed may file statements in support thereof. Comments or briefs in reply to the original comments or briefs may be filed on or before February 21, 1952. The Commission will consider all such comments that are presented before action in the matter and, if any comments are submitted which appear to warrant the holding of oral argument, notice of the time and place of such oral argument will be given.

11. In accordance with the provisions of § 1.764 of the Commission's rules and regulations, an original and fourteen copies of all statements, briefs, or comments filed shall be furnished to the Commission.

Adopted: January 9, 1952.

Released: January 10, 1952.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

Proposed amendments to the Commission's rules by parts and related sections:

Part 2, Rules Governing Frequency Allocations and Radio Treaty Matters; General Rules and Regulations, is amended as follows:

1. Amend § 2.104 (a), the table of frequency allocations as follows:

a. In footnote NG19 change "frequencies 161.85 Mc and 161.91 Mc" to read "frequency 161.85 Mc".

b. Delete the present wording of footnote US24 in column 5 for the band 152–162 Mc and substitute "US24 The use of the frequency 162.0 Mc may be authorized to non-government coast stations only."

c. Delete the present frequency 157.1 Mc from column 10 and the entry "DO(NG7)" opposite the frequency in column 11.

d. Change the present frequencies 157.2 and 157.3 Mc in column 10 opposite the respective entries "Government" and "DO" in column 11 to read 157.1 and 157.2 Mc, respectively.

e. Change the present frequency entry 157.4 Mc in column 10 to read 157.3 Mc. Enter the frequency 157.4 Mc in column 10 following 157.3 Mc and add "DO-(NG7)" in column 11 opposite 157.4 Mc.

f. In footnote US20, change "157.2 and 157.3 Mc" to read "157.1 and 157.2 Mc".

g. Change footnote NG7 to read:

NG7 The use of the frequencies 156.27, 156.33, 156.39, 156.45, 156.51, 156.57, 156.63, 156.69, 156.75, 156.87, 156.93, 156.99, 157.05, 157.11, 157.29, 157.35, 157.41, 157.47, 161.85, 161.91, and 161.97 Mc may be authorized to base and land mobile stations in the Public Safety Radio Services on the condition that no harmful interference will be caused to the Maritime Mobile Service except that on the frequencies 157.05 and 157.11 Mc this authority may be extended only to those stations authorized prior to January 1, 1953. Public Safety Service operations at points within 150 statute miles of coastal areas and navigable gulfs, bays, rivers, and lakes may be authorized only after a factual finding indicates that, on an engineering basis, no harmful interference will be caused to the Maritime Mobile Service.

h. In column 11, change the footnote indicators within the parenthesis following the word "coast" which is opposite the frequency 161.90 Mc in column 10, to read: "(NG7, 19, 37)".

i. Insert new footnote "NG37" to read:

NG37 Transmission on the frequency 161.9 Mc by coast stations at Chicago, Illinois, may be authorized on condition that harmful interference is not caused to the Land Transportation Radio Services on 161.85 Mc.

Part 7, Rules Governing Stations on Land in the Maritime Services, is amended as follows:

1. Amend § 7.307 as follows:

a. In subparagraph (a) (1), substitute 157.3 Mc for 157.1 Mc.

b. In subparagraph (a) (2), delete "(except within 75 statute miles of Chicago, Ill.)" and "(subject to paragraph (c) of this section)".

c. Substitute 157.3 Mc in place of 157.1 Mc.

d. Delete subparagraphs (b) and (c).

2. Amend § 7.308 as follows:

a. In paragraph (a), insert between the ports Milwaukee, Wisconsin and Ludington, Michigan listed in this paragraph, the following additional ports: Chicago, Illinois; Indiana Harbor, Indiana; Gary, Indiana in the order named herewith. Delete "(except stations located at Chicago, Ill., or within 75 statute miles thereof)".

b. Delete paragraph (b).

c. In paragraph (c), redesignate this paragraph as (b) and change the initial paragraph to read as follows: "The carrier frequency 162 Mc is assignable to any public coast station employing frequency modulation for telephony, *Provided:*".

Part 8, Rules Governing Stations on Shipboard in the Maritime Services, is amended as follows:

1. Amend § 8.356 as follows:

a. In subparagraph (a) (1) substitute 157.3 Mc for 157.1 Mc.

b. Change subparagraph (a) (2) to read as follows:

(2) For transmission to public coast stations when a different radio-channel is used for transmission by the coast station:

For ship stations transmission

157.3 Mc
157.4 Mc[6]

For ship station reception

162.0 Mc
161.9 Mc[6]

2. Delete subparagraph (a) (3).

Part 10, Rules Governing Public Safety Radio Services, is amended as follows:

1. Amend § 10.405 as follows:

a. In § 10.405 (e) delete limitation 5 opposite the frequencies 157.05 and 157.11 and add limitation 9.

b. In § 10.405 (e) enter the frequencies 157.29 and 157.35 with limitation 5 between the existing entries 157.11 and 157.41.

c. In § 10.405 (f) add new limitation Note 9 as follows:

(9) This frequency will not be assigned to stations in the Highway Maintenance Radio Service after _____. Highway maintenance stations licensed to use this frequency prior to (same date) may continue such use provided that no harmful interference is caused to any government or nongovernment radio operation.

Part 16, Rules Governing Land Transportation Radio Services, is amended as follows:

In § 16.352 (a) delete the frequency 161.91 Mc.

[F. R. Doc. 52-650; Filed, Jan. 16, 1952; 8:57 a. m.]

NOTICES

DEPARTMENT OF THE TREASURY

Bureau of Customs

[T. D. 52905]

PETROLEUM AND PETROLEUM PRODUCTS

TARIFF-RATE QUOTA

JANUARY 10, 1952.

Quantities and allocation of the tariff-rate quotas for the calendar year 1952 on imported crude petroleum and certain petroleum products. See the President's Proclamation No. 2959 of January 5, 1952 (17 F. R. 185), allocating the 1952 tariff-rate quota on certain petroleum products.

On the basis of a preliminary estimate of the Director of the Bureau of Mines, United States Department of the Interior, of the quantity of crude petroleum processed by refineries in the continental United States during the calendar year 1951, it is estimated that the quantity of crude petroleum, topped crude petroleum, and fuel oil derived from petroleum, including fuel oil known as gas oil, the product of the countries listed below, which will be entitled to be entered, or withdrawn from warehouse, for consumption at the reduced rate of duty during the calendar year 1952 will be approximately as follows:

	Gallons
United States of Venezuela	2,961,437,371
Kingdom of the Netherlands (including its overseas territories)	932,304,358
Other foreign countries	1,091,843,071
Total	4,985,584,800

The estimate of the Director of the Bureau of Mines is subject to revision on the basis of complete information which it is believed will be available near the end of February. Definitive information as to quotas will be published as soon as their amounts can be finally determined.

D. B. STRUBINGER,
Acting Commissioner of Customs.

[F. R. Doc. 52-598; Filed, Jan. 16, 1952; 8:45 a. m.]

[T. D. 52906]

FISH

TARIFF-RATE QUOTA

JANUARY 11, 1952.

The tariff-rate quota for the calendar year 1952 on certain fish dutiable under paragraph 717 (b), Tariff Act of 1930, as modified pursuant to the General Agreement on Tariffs and Trade (T. D. 51802).

In accordance with the proviso to item 717 (b) of Part 1, Schedule XX, of the General Agreement on Tariffs and Trade (T. D. 51802), it has been ascertained that the average aggregate apparent annual consumption in the United States of fish, fresh, or frozen (whether or not packed in ice), filleted, skinned, boned, sliced, or divided into portions, not specially provided for: Cod, haddock, hake, pollock, cusk, and rosefish, in the three years preceding 1952, calculated in the manner provided for in the cited agreement was 209,814,054 pounds. The quantity of such fish that may be imported for consumption during the calendar year 1952 at the reduced rate of duty established pursuant to that agreement is, therefore, 31,472,108 pounds.

[SEAL] D. B. STRUBINGER,
Acting Commissioner of Customs.

[F. R. Doc. 52-644; Filed, Jan. 16, 1952; 8:55 a. m.]

Fiscal Service, Bureau of Accounts

[Dept. Circ. 570, Rev. Apr. 20, 1943, 1950, 71st Supp.]

PACIFIC NATIONAL FIRE INSURANCE CO.

SURETY COMPANIES ACCEPTABLE ON FEDERAL BONDS

A Certificate of Authority has been issued by the Secretary of the Treasury to the above company under the act of Congress approved July 30, 1947, 6 U. S. C. secs. 6–13, as an acceptable surety on Federal bonds. An underwriting limitation of $246,000.00 has been established for the company. Further details as to the extent and localities with respect to which the company is acceptable as surety on Federal bonds will appear in the next issue of Treasury Department Form 356, copies of which, when issued, may be obtained from the Treasury Department, Bureau of Accounts, Section of Surety Bonds, Washington 25, D. C.

[SEAL] E. H. FOLEY,
Acting Secretary of the Treasury.

[F. R. Doc. 52-643; Filed, Jan. 16, 1952; 8:54 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

NOTICE OF FILING OF PLAT OF SURVEY

DECEMBER 27, 1951.

Notice is given that the plat of original survey of the following described lands, accepted February 9, 1950, will be officially filed in the Land Office, Fairbanks,

Alaska, effective at 10:00 a. m. on the 35th day after the date of this notice:

FAIRBANKS MERIDIAN

T. 1 N., R. 2 E.,
Secs. 11, 12, 13, 14, 15, 21, 22, 23, 24, 25, 26, 35 and 36.

The area described contains 8,320 acres.

All of the lands, except Secs. 11 and 12, N½N½ Sec. 13, N½NE¼, NW¼, NW¼SW¼ Sec. 14, N½, SW¼, N½SE¼, SW¼SE¼ Sec. 15, NW¼SW¼, NW¼, N½NE¼, SW¼NE¼ Sec. 21, and NW¼ NW¼ Sec. 22, are included in the withdrawal made by Public Land Order No. 585, of April 14, 1949, for classification and in aid of proposed legislation.

The lands lie in the Tanana River Valley, approximately 14 miles northeast of Fairbanks, Alaska. The southeast portion consists of lowlands bisected by the Little Chena River, and is characterized by smooth level topography, cut by sloughs and old stream beds. The northeast portion consisting of uplands is characterized by smoothed and rounded ridges rising to elevations of approximately 1200 feet. The lands support a vegetative cover of scrub spruce, brush and willow, with occasional large spruce, birch, aspen and cottonwood on the better drained lands along the water courses. The soils are composed largely of micaceous very fine sand, generally underlain with permafrost at shallow depths on the lower lands.

At the hour and date specified above the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-one day period for preference-right filings.* For a period of 91 days, commencing at the hour and on the day specified above, the public lands affected by this notice shall be subject only to (1) application under the homestead or the Small Tract Act of June 1, 1938 (52 Stat. 609, 43 U. S. C. 682a), as amended, home or headquarter site under the act of May 26, 1934 (48 Stat. 809, 48 U. S. C. 461), by qualified veterans of World War II and other qualified persons entitled to preference under the act of Sept. 27, 1944 (58 Stat. 747, 43 U. S. C. 279–284), as amended, subject to the requirements of applicable law, and (2) applications under any applicable public land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications under subdivision (1) of this paragraph shall be subject to applications and claims of the classes described in subdivision (2) of this paragraph. All applications filed under the paragraph either at or before 10:00 a. m. on the 35th day after the date of this notice shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a. m. on the said 35th day shall be considered in the order of filing.

(b) *Date for non-preference-right filings.* Commencing at 10:00 a. m. on the 126th day after the date of this notice, any lands remaining unappropriated shall become subject to such application, petition, location, selection, or other appropriation by the public generally as may be authorized by the public-land laws. All such applications filed either at or before 10:00 a. m. on the 126th day after the date of this notice, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter shall be considered in the order of filing.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statement in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the Land Office at Fairbanks, Alaska, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations to the extent such regulations are applicable. Applications under the homestead and homesite laws shall be governed by the regulations contained in Parts 64, 65 and 166 of Title 43 of the Code of Federal Regulations and applications under the Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Part 257 of that title.

Inquiries concerning these lands shall be addressed to the Manager, Land Office.

FRED J. WEILER,
Manager.

[F. R. Doc. 52-609; Filed, Jan. 16, 1952; 8:48 a. m.]

ALASKA

NOTICE OF FILING OF PLAT OF SURVEY

DECEMBER 27, 1951.

Notice is given that the plat of original survey of the following described lands, accepted March 1, 1951, will be officially filed in the Land Office, Fairbanks, Alaska, effective at 10:00 a. m. on the 35th day after the date of this notice:

FAIRBANKS MERIDIAN

T. 4 S., R. 4 E.,
Sec. 34.

The area described contains 640 acres.

The lands lie in the Tanana River Valley, approximately 32 miles southeast of Fairbanks. They are bisected by the Little Salcha River; are low and level and support a vegetative cover of scrub spruce, birch and willow, and some large birch, spruce, aspen and cottonwood on the better drained lands. The soils are comprised largely of micaceous very fine sand, generally underlain with permafrost at shallow depths.

At the hour and date specified above the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-one day period for preference-right filings.* For a period of 91 days, commencing at the hour and on the day specified above, the public lands affected by this notice shall be subject only to (1) application under the homestead or the Small Tract Act of June 1, 1938 (52 Stat. 609; 43 U. S. C. 682a), as amended, home or headquarter site under the act of May 26, 1934 (48 Stat. 809, 48 U. S. C. 461), by qualified veterans of World War II and other qualified persons entitled to preference under the act of Sept. 27; 1944 (58 Stat. 747, 43 U. S. C. 279–284), as amended, subject to the requirements of applicable law, and (2) applications under any applicable public land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications under subdivision (1) of this paragraph shall be subject to applications and claims of the classes described in subdivision (2) of this paragraph. All applications filed under the paragraph either at or before 10:00 a. m. on the 35th day after the date of this notice shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a. m. on the said 35th day shall be considered in the order of filing.

(b) *Date for nonpreference-right filings.* Commencing at 10:00 a. m. on the 126th day after the date of this notice, any lands remaining unappropriated shall become subject to such application, petition, location, selection, or other appropriation by the public generally as may be authorized by the public-land laws. All such applications filed either at or before 10:00 a. m. on the 126th day after the date of this notice, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter shall be considered in the order of filing.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statement in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the Land Office at Fairbanks, Alaska, shall be acted upon in accordance with the regulations con-

tained in § 295.8 of Title 43 of the Code of Federal Regulations to the extent such regulations are applicable. Applications under the homestead and homesite laws shall be governed by the regulations contained in Parts 64, 65 and 166 of Title 43 of the Code of Federal Regulations and applications under the Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Part 257 of that title.

Inquiries concerning these lands shall be addressed to the Manager, Land Office.

FRED J. WEILER,
Manager.

[F. R. Doc. 52-610; Filed, Jan. 16, 1952; 8:48 a. m.]

ALASKA

SHORE SPACE RESTORATION ORDER NO. 470

JANUARY 10, 1952.

By virtue of the authority contained in the act of June 5, 1920 (41 Stat. 1059, 48 U. S. C. 372), and pursuant to section 2.22 (a) (3), of Order No. 1, Bureau of Land Management, Region VII, approved by the Acting Secretary of the Interior August 20, 1951 (16 F. R. 8625, 8627), it is ordered as follows:

Subject to valid existing rights and the provisions of existing withdrawals, the 80-rod shore space reserve created under the act of May 14, 1898 (30 Stat. 409), as amended by the act of March 3, 1903 (32 Stat. 1028, 48 U. S. C. 371), is hereby revoked as to the following described lands:

A tract of land located on Popof Strait, Alaska, identified as U. S. Survey 2883, containing approximately seven acres (Soldier's Additional Homestead Application and Petition for Shorespace Restoration of Aleutian Cold Storage Company, Anchorage 012178).

A tract of land located on Kvichak River, Alaska, identified as U. S. Survey 2835, containing approximately 4.64 acres (Soldier's Additional Homestead Application and Petition for Shorespace Restoration of Alaska Packer's Association, Anchorage 011545).

A tract of land located on Kvichak River, Alaska, identified as U. S. Survey 2836, containing approximately 17.662 acres (Soldier's Additional Homestead Application and Petition for Shorespace Restoration of Alaska Packer's Association, Anchorage 011546).

The above-described lands aggregate approximately 29.302 acres.

No application for these lands may be allowed under the Small Tract Act of June 1, 1938 (52 Stat. 609; 43 U. S. C. 682a), unless the land has already been classified as valuable or suitable for such type of application or shall be so classified upon consideration of an application.

At 10:00 a. m. on January 30, 1952, the lands shall, subject to valid existing rights and the provisions of existing withdrawals become subject to application, petition, location, or selection as follows:

(a) *Ninety-one-day period for preference-right filings.* For a period of 91 days from January 30, 1952, to April 29, 1952, inclusive, the public lands affected by this order shall be subject to (1) application under the homestead or homesite laws, or the Small Tract Act of June 1, 1938 (52 Stat. 609, 43 U. S. C. sec. 682a) as amended by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. secs. 279–283), as amended, subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from January 10, 1952, to January 29, 1952, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on January 30, 1952, shall be treated as simultaneously filed.

(c) *Date for non-preference right filings authorized by the public land laws.* Commencing at 10:00 a. m. on April 30, 1952, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public land laws.

(d) *Twenty-day advance period for simultaneous non-preference right filings.* Applications by the general public may be presented during the 20-day period from April 10, 1952, to April 29, 1952, inclusive, and all such applications, together with those presented at 10:00 a. m. on April 30, 1952, shall be treated as simultaneously filed.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the Land Office at Anchorage, Alaska, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254), to the extent that such regulations are applicable. Applications under the homestead and homesite laws shall be governed by the regulations contained in Parts 64, 65 and 66, of Title 43 of the Code of Federal Regulations and applications under the Small Tract Act of June 1, 1938, as amended, shall be governed by the regulations contained in Part 257 of that title.

Inquiries concerning these lands shall be addressed to the Land Office at Anchorage, Alaska.

HAROLD T. JORGENSON,
Chief, Division of Land Planning.

[F. R. Doc. 52-603; Filed, Jan. 16, 1952; 8:46 a. m.]

ALASKA

SHORE SPACE RESTORATION ORDER NO. 471

JANUARY 10, 1952.

By virtue of the authority contained in the act of June 5, 1920 (41 Stat. 1059, 48 U. S. C. 372), and pursuant to section 2.22 (a) (3), of Order No. 1, Bureau of Land Management, Region VII, approved by the Acting Secretary of the Interior August 20, 1951 (16 F. R. 8625, 8627), it is ordered as follows:

Subject to valid existing rights and the provisions of existing withdrawals, the 80-rod shore space reserve created under the act of May 14, 1898 (30 Stat. 409), as amended by the act of March 3, 1903 (32 Stat. 1028, 48 U. S. C. 371), is hereby revoked as to the following described lands:

A tract of land located on Wild Lake, Alaska, identified as U. S. Survey 3033, containing approximately 160 acres (Homestead Settlement Claim and Petition for Free Survey of James LaVern Langton, Fairbanks 03268).

The above described lands aggregate approximately 160 acres.

No application for these lands may be allowed under the Small Tract Act of June 1, 1938 (52 Stat. 609; 43 U. S. C. 682a), unless the land has already been classified as valuable or suitable for such type of application or shall be so classified upon consideration of an application.

At 10:00 a. m. on January 30, 1952, the lands shall, subject to valid existing rights and the provisions of existing withdrawals become subject to application, petition, location, or selection as follows:

(a) *Ninety-one day period for preference-right filings.* For a period of 91 days from January 30, 1952 to April 29, 1952, inclusive, the public lands affected by this order shall be subject to (1) application under the homestead or homesite laws, or the Small Tract Act of June 1, 1938 (52 Stat. 609, 43 U. S. C. sec. 682a) as amended by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. secs. 279-283), as amended, subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from January 10, 1952, to January 29, 1952, inclusive, such veterans and persons claiming pref-

erence rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on January 30, 1952, shall be treated as simultaneously filed.

(c) *Date for non-preference right filings authorized by the public land laws.* Commencing at 10:00 a. m. on April 30, 1952, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public land laws.

(d) *Twenty-day advance period for simultaneous non-preference right filings.* Applications by the general public may be presented during the 20-day period from April 10, 1952, to April 29, 1952, inclusive, and all such applications, together with those presented at 10:00 a. m. on April 30, 1952, shall be treated as simultaneously filed.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the Land Office at Fairbanks, Alaska, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254), to the extent that such regulations are applicable. Applications under the homestead and homesite laws shall be governed by the regulations contained in Parts 64, 65 and 66, of Title 43 of the Code of Federal Regulations and applications under the Small Tract Act of June 1, 1938, as amended, shall be governed by the regulations contained in Part 257 of that title.

Inquiries concerning these land shall be addressed to the Land Office at Fairbanks, Alaska.

HAROLD T. JORGENSON,
Chief, Division of Land Planning.

[F. R. Doc. 52-604; Filed, Jan. 16, 1952; 8:46 a. m.]

ALASKA

SHORE SPACE RESTORATION ORDER NO. 472

JANUARY 10, 1952.

By virtue of the authority contained in the act of June 5, 1920 (41 Stat. 1059, 48 U. S. C. 372), and pursuant to section 2.22 (a) (3), of Order No. 1, Bureau of Land Management, Region VII, approved by the Acting Secretary of the Interior August 20, 1951 (16 F. R. 8625, 8627), it is ordered as follows:

Subject to valid existing rights and the provisions of existing withdrawals, the 80-rod shore space reserve created under the act of May 14, 1898 (30 Stat. 409), as amended by the act of March 3, 1903 (32 Stat. 1028, 48 U. S. C. 371), is hereby revoked as to the following described lands:

A tract of land located on Clover Passage, Alaska, identified as Lot F, U. S. Survey 2554, Homesite Application of Cleo E. Hall, Anchorage 018029, containing approximately 3.15 acres.

A tract of land located on Shelter Cove, Alaska, identified as Lot D, U. S. Survey 2327, Homesite Application of Jefferson H. Davis, Anchorage 019204, containing approximately 4.99 acres.

The above described areas aggregate approximately 8.14 acres.

HAROLD T. JORGENSON,
Chief,
Division of Land Planning.

[F. R. Doc. 52-605; Filed, Jan. 16, 1952; 8:46 a. m.]

ALASKA

SMALL TRACT CLASSIFICATION NO. 49

JANUARY 10, 1952.

Pursuant to the authority delegated to me under section 2.21 of Order No. 1, Bureau of Land Management, Region VII, approved by the Acting Secretary of the Interior August 20, 1951 (16 F. R. 8625), I hereby classify as hereinafter indicated under the Small Tract Act of June 1, 1938 (52 Stat. 609, 43 U. S. C. Sec. 682a), as amended, the following described public lands in the Anchorage, Alaska Land District:

FOR LEASING AND SALE

For Cabin Sites:

SEWARD MERIDIAN

T. 16 N., R. 2 E.,
Sec. 1: Lot 3
Containing approximately 33.90 acres.

This order shall not become effective to permit the initiation of any rights or any disposition under the public land laws until it is so provided by an order to be issued by the Chief, Division of Land Planning, Bureau of Land Management, Region VII, Anchorage, Alaska, opening the lands to application under the Small Tract Act of June 1, 1938 (52 Stat. 609, 43 U. S. C. Sec. 682a), as amended, with a 91 day preference right period for filing such applications by veterans of World War II and other qualified persons entitled to preference under the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. Sec. 279), as amended.

HAROLD T. JORGENSON,
Chief,
Division of Land Planning.

[F. R. Doc. 52-602; Filed, Jan. 16, 1952; 8:46 a. m.]

ARIZONA

ORDER OF RESTORATION OF LANDS TO PUBLIC DOMAIN AND TO DISPOSITION UNDER APPLICABLE LAW

JANUARY 11, 1952.

Pursuant to the authority and direction contained in the act of June 11, 1932 (47 Stat. 301), and upon the recommendation of the Department of Commerce, and in accordance with the authority contained in Departmental Order No. 2583, section 2.22 (a) of August 16, 1950 (15 F. R. 6543), it is ordered as follows:

Subject to valid existing rights, the following-described lands in Arizona, acquired by the United States through exchange with the State of Arizona and used by the Department of Commerce in maintaining air-navigation facilities as provided by the said act of June 11, 1932, are hereby restored to the public domain, and to disposition under applicable law as hereinafter provided:

GILA AND SALT RIVER MERIDIAN

T. 9 S., R. 10 E.,
Sec. 30; SE¼SE¼;
Sec. 31, NE¼;
Sec. 32, W½NW¼.

The areas described aggregate 280 acres.

The above-described lands are primarily suitable for grazing use and portions are embraced in a grazing lease. They will not be subject to occupancy or disposition until they have been classified. It is unlikely that they will be classified as suitable for homestead, desert-land, or small-tract use.

Except as to the return of the lands to the public domain, this order shall not become effective until 10:00 a. m. on the 35th day after the date hereof. At that time the said lands shall become subject to application, petition, location, and selection, subject to the provisions of existing withdrawals, the requirements of applicable law, and the 91-day preference-right filing period for veterans and others entitled to preference under the act of September 27, 1944 (58 Stat. 747; 43 U. S. C. 279–284), as amended.

Information showing the periods during which and the conditions under which veterans and others may file applications for these lands may be obtained on request from the Manager, Land and Survey Office, Phoenix, Arizona.

WILLIAM PINCUS,
Assistant Director.

[F. R. Doc. 52-606; Filed, Jan. 16, 1952; 8:47 a. m.]

NEW MEXICO

STOCK DRIVEWAY WITHDRAWALS NOS. 61 AND 81, NEW MEXICO NOS. 10 AND 12, REDUCED

JANUARY 9, 1952.

By virtue of the authority contained in section 10 of the act of December 29, 1916, 39 Stat. 865, as amended by the act of January 29, 1929, 45 Stat. 1144 (43 U. S. C. 300), and pursuant to the authority delegated by the Director, Bureau of Land Management, in section

2.22 (a) (1) of Order No. 427, dated August 16, 1950, 15 F. R. 5639, it is ordered as follows:

The orders of the Secretary of the Interior dated February 6, 1919 and April 27, 1919, establishing Stock Driveway Withdrawals Nos. 61 and 81, New Mexico Nos. 10 and 12, and of July 23, 1926, modifying Stock Driveway Withdrawal No. 61, New Mexico No. 10, are hereby revoked, in so far as they affect the following described lands:

NEW MEXICO PRINCIPAL MERIDIAN

T. 20 N., R 9 E.,
Sec. 25, all;
Sec. 26, all;
Sec. 27, all;
Sec. 28, lots 1, 2, 3, 4, E½SE¼, N½;
Sec. 29, lots 1, 2, 3, 4, N½;
Sec. 30, lots 1, 2, 3, 4, 5, 6, E½NW¼, NE¼;
Sec. 33, lots 5, 6;
Sec. 34, lots 5, 6, 7, 8;
Sec. 35, lots 5, 6, 7, 8.
T. 19 N., R. 10 E.,
Sec. 6, lots 7, 8, 9, 10, 11, E½SE¼;
Sec. 7, lots 5, 6, 7, 8, E½E½;
Sec. 8, all;
Sec. 9, all.
T. 20 N., R. 10 E.,
Sec. 31, lots 6, 7, 8, 9, 10, 11, E½E½.
T. 14 N., R. 2 E.,
Sec. 1, lots 11, 12, 13, 14, 15, 16, 17, SW¼SE¼, S½SW¼;
Sec. 12, lots 1, 2, 3, 4, W½E½;
Sec. 13, lots 1, 2, 3, 4, W½E½;
Sec. 24, lots 1, 2, 3, 4, W½E½;
Sec. 25, lots 1, 2, 3, 4, W½E½.
T. 15 N., R. 2 E.,
Sec. 13, lots 1, 2, 3, 4;
Sec. 24, lots 1, 2, 3, 4;
Sec. 25, lots 1, 2, 3, 4.
T. 14 N., R. 3 E.,
Sec. 6, lots 1, 2, 3, 4, 5, 6, 7, 9, S½NE¼, NE¼SE¼;
Sec. 7, lots 3, 4, 5, 6, 11, 12, 13, 14;
Sec. 18, lots 2, 3, 4, 5, 8, 9, 10, 11;
Sec. 19, lots 2, 3, 4, 5, 8, 9, 10, 11;
Sec. 30, lots 2, 3, 4, 5, 8, 9, 10, 11;
Sec. 31, lots 2, 3, 4, 5, 8, 9, 10, 11.
T. 15 N., R. 3 E.,
Sec. 7, lots 1, 2, 3, 4, E½W½, E½;
Sec. 8, all;
Sec. 18, lots 1, 2, 3, 4, E½W½, E½;
Sec. 19, lots 1, 2, 3, 4, E½W½, E½;
Sec. 30, lots 1, 2, 3, 4, E½W½, E½;
Sec. 31, lots 1, 2, 3, 4, E½W½, E½.
T. 16 N., R. 3 E.,
Sec. 8, E½;
Sec. 17, E½;
Sec. 20, E½;
Sec. 21, lots 1, 2, 3, 4, W½;
Sec. 28, lots 1, 2, 3, 4, W½;
Sec. 29, all.

The areas described aggregate 15,974.05 acres.

In T. 20 N., R. 9 E. the W½SW¼NW¼ and W½ lot 4, sec. 29, and lots 1, 2, 3, 4, 5, 6, E½NW¼ and NE¼, sec. 30, are subject to Small Tract Classification Orders, New Mexico Nos. 23 and 27, under the act of June 1, 1938 (52 Stat. 609; 43 U. S. C. 682a).

The remaining lands affected by this order are rough and broken or mountainous. They are chiefly valuable for grazing. The lands will not be subject to occupancy or disposition until they have been classified. It is unlikely that the lands will be classified as suitable for homestead or desert land use.

This order shall not otherwise become effective to change the status of such lands until 10:00 a. m. on the 35th day after the date of this order. At that time the said lands shall become subject to application, petition, location, and selection, subject to valid existing rights, the provisions of existing withdrawals, the requirements of applicable law, and the 90-day preference right filing period for veterans and others entitled to preference under the act of September 27, 1944 (58 Stat. 747; 43 U. S. C. 279–284), as amended.

Information showing the periods during which and the conditions under which veterans and others may file applications for these lands may be obtained on request from the Land and Survey Office at Santa Fe, New Mexico.

E. R. SMITH,
Regional Administrator.

[F. R. Doc. 52-611; Filed, Jan. 16, 1952; 8:49 a. m.]

OREGON

NOTICE OF FILING OF PLAT OF SURVEY

JANUARY 4, 1952.

Notice is hereby given that the plats of protraction of areas in lake beds of the following described lands, accepted January 11, 1950, as supplemented by plat accepted November 21, 1951, will be officially filed in the Land Office, Portland, Oregon, effective at 10:00 a. m. on the 35th day after the date of this notice:

WILLAMETTE MERIDIAN

T. 34 S., R. 24 E.,
Sec. 25, Lots 5, 6, 7, 8;
T. 34 S., R. 25 E.,
Sec. 12, Lots 10, 11, 12, 13, 14, 15, 16, 17;
Sec. 13, Lots 3, 4;
Sec. 22, Lots 4, 5;
Sec. 23, SE¼, S½NW¼, SW¼NE¼, NE¼SW¼, Lots 7, 8, 9, 10, 11, 12;
Sec. 24, S½SW¼, NW¼SW¼, Lots 8, 9, 10, 11, 12, 13, 14;
Sec. 25, NE¼, N½NW¼, SW¼NW¼, Lots 1, 2, 3, 4, 5;
Sec. 26, E½, Lots 6, 7, 8, 9, 10;
Sec. 27, Lots 5, 6, 7;
Sec. 28, Lot 3;
Sec. 29, SW¼, S½SE¼, Lots 5, 6, 7, 8;
Sec. 30, SE¼, S½NE¼, SE¼SW¼, Lots 5, 6, 7, 8, 9, 10, 11, 12;
Sec. 31, SE¼, SE¼NE¼, SE¼SW¼, Lots 2, 3, 4, 5, 6, 7, 8, 9;
Sec. 32, All;
Sec. 33, SW¼, W½NW¼, SE¼NW¼, SW¼SE¼, Lots 5, 6, 7, 8, 9, 10;
Sec. 34, NE¼, NW¼SE¼, Lots 6, 7, 8, 9, 10, 11, 12, 13;
Sec. 35, Lots 7, 8, 9, 10, 11, 12, 13, 14;
Sec. 36, Lot 5;
T. 34 S., R. 26 E.,
Sec. 4, Lot 6;
Sec. 5, Lots 10, 11;
Sec. 7, Lots 5, 6;
Sec. 17, SW¼, SW¼SE¼, Lots 6, 7, 8, 9;
Sec. 18, SE¼NE¼, NE¼SE¼, Lots 4, 5, 6, 7, 8, 9;
Sec. 19, Lots 6, 7, 8, 9;
Sec. 20, SW¼NE¼, NE¼NW¼, NW¼SE¼, Lots 9, 10, 11, 12, 13, 14, 15, 16;
Sec. 21, Lots 4, 5;
Sec. 29, Lot 5;
Sec. 30, Lots 3, 4, 5, 6, 7, 8, 9;
Sec. 31, Lot 6;
T. 35 S. R., 25 E.,
Sec. 3, Lots 11, 12;
Sec. 4, Lots 10, 11, 12, 13, 14;
Sec. 5, N½NE¼, NE¼NW¼, Lots 9, 10, 11, 12, 13;
Sec. 6, Lot 9.

The area described aggregates 7,078.43 acres.

The lands affected are located in Warner Valley, Oregon, and are included in cooperative agreement entered into December 5, 1950, pursuant to section 9 of the act of June 28, 1934 (48 Stat. 1275, 43 U. S. C. Sec. 315m), as amended, between the Fish and Wildlife Service, the Oregon State Game Commission, and the Bureau of Land Management, and are classified for retention in public ownership for joint administration by the parties to the agreement for lifestock and wildlife purposes; and it is unlikely that the lands will be available for classification for homestead or desert-land entry, or under the Small Tract Act.

Anyone having a valid settlement or other right to any of the lands initiated prior to the survey of the lands should assert the same within three months from the date on which the plats are officially filed, by filing an application under appropriate public land law setting forth all facts relevant thereto.

All inquiries relating to these lands should be addressed to the Manager, Land Office, Portland 18, Oregon.

PIERCE M. RICE,
Manager.

[F. R. Doc. 52-612; Filed, Jan. 16, 1952; 8:49 a. m.]

Office of the Secretary

[Order No. 2675]

ASSISTANT DIRECTOR, CHIEF COUNSEL

DELEGATION OF AUTHORITY TO SERVE AS ACTING DIRECTOR, NATIONAL PARK SERVICE

JANUARY 10, 1952.

SECTION 1. *Acting Director.* (a) The ranking Assistant Director of the National Park Service present shall perform the duties of the Director in case of the death, resignation, absence, or sickness of the Director.

(b) The Chief Counsel of the National Park Service shall perform the duties of the Director in case of the death, resignation, absence, or sickness of the Director and the Assistant Directors.

(c) The Assistant Director of the National Park Service whose existing appointment bears the earliest date shall be considered the ranking Assistant Director of the National Park Service for the purposes of paragraph (a) of this section.

(d) An officer acting under authority of this section shall sign documents under the title "Acting Director."

SEC. 2. *Revocation.* This order revokes Order No. 2616, dated February 16, 1951 and supersedes paragraphs (a) and (d) of §§ 4.650 and 4.651, Subpart I—National Park Service, Part 4, Title 43, Code of Federal Regulations, 1947 Supplement.

(5 U. S. C., 1946 ed., sec. 22)

OSCAR L. CHAPMAN,
Secretary of the Interior.

[F. R. Doc. 52-613; Filed, Jan. 16, 1952; 8:50 a. m.]

ALASKA

NOTICE FOR FILING OBJECTIONS TO ORDER RESERVING LANDS FOR USE OF ALASKA RAILROAD [1]

For a period of 60 days from the date of publication of the above entitled order, persons having cause to object to the terms thereof may present their objections to the Secretary of the Interior. Such objections should be in writing, should be addressed to the Secretary of the Interior, and should be filed in duplicate in the Department of the Interior, Washington 25, D. C. In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where the proponents of the order can explain its purpose, intent, and extent. Should any objection be filed, whether or not a hearing is held, notice of the determination by the Secretary as to whether the order should be rescinded, modified or let stand will be given to all interested parties of record and the general public.

OSCAR L. CHAPMAN,
Secretary of the Interior.

[F. R. Doc. 52-608; Filed, Jan. 16, 1952; 8:47 a. m.]

DEPARTMENT OF COMMERCE

Civil Aeronautics Administration

[Amdt. 4]

ORGANIZATION AND FUNCTIONS

RELOCATION OF AIRPORT DISTRICT OFFICE

In accordance with the public information requirements of the Administrative Procedure Act, the description of Organization and Functions of the Civil Aeronautics Administration is hereby amended. The purpose of this amendment is to relocate the Airport District Office serving Virginia.

Section 43 (g) (3) (ii), Region 1, is amended by changing "Richmond, Va., Richard E. Byrd Field—Virginia" to read "Gravelly Point, Virginia, Washington National Airport, Hangar 6—Virginia".

This amendment shall become effective January 15, 1952.

[SEAL] F. B. LEE,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 52-601; Filed, Jan. 16, 1952; 8:46 a. m.]

ECONOMIC STABILIZATION AGENCY

Office of Price Stabilization

[Ceiling Price Regulation 83, Section 2, Special Order 2, Amdt. 1]

KAISER-FRAZER CORP.

BASIC PRICES AND CHARGES FOR NEW PASSENGER AUTOMOBILES

Statement of Consideration. Special Order 2 established a schedule of prices and charges pursuant to section 2 of Ceiling Price Regulation 83 for sellers of new passenger automobiles manufactured by the Kaiser-Frazer Corporation. Subsequent to the issuance of Special Order 2 the Kaiser-Frazer Corporation has introduced a new line of automobiles to be known as the Allstate line. Special Order 2 is, therefore, amended to include basic prices of the Allstate automobiles and charges for extra special or optional equipment on the Allstate line.

Special provisions. For the reasons set forth in the Statement of Considerations and pursuant to section 2 of Ceiling Price Regulation 83, this amendment to Special Order 2 is hereby issued.

1. The following basic prices, as defined in Ceiling Price Regulation 83, section 2, are added to the list of basic prices contained in Special Order 2:

Allstate:	
Allstate, four cylinder	$1,331.57
Allstate, six cylinder	1,466.38

2. The following charges for factory installed extra, special or optional equipment are added to the list of extra, special or optional equipment contained in Special Order 2:

Front window vents (Allstate line)	$21.27
Booster fuel pump (Allstate line)	6.37
Extra horn (Allstate line)	6.51
Overdrive (Allstate line)	96.77
Deck lid (Allstate line)	38.29
Chrome horn ring (Allstate line)	2.43
Continental spare wheel assembly (Allstate line)	87.54

Effective date. This Amendment 1 to Special Order 2 shall become effective January 18, 1952.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JANUARY 16, 1952.

[F. R. Doc. 52-730; Filed, Jan. 16, 1952; 11:09 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 8736, 8975, 8976, 9175]

RADIO KIST, INC.

MEMORANDUM OPINION AND ORDER GRANTING PETITION

In the matters of amendment of § 3.606 of the Commission's rules and regulations, Docket Nos. 8736 and 8975, amendment of the Commission's rules, regulations and Engineering Standards Concerning the Television Broadcast Service, Docket No. 9175, and utilization of frequencies in the Band 470 to 890 Mcs. for television broadcasting, Docket No. 8976.

On December 17, 1951, Radio KIST, Inc., a party to the above entitled proceedings, filed a "Petition for Leave to File Comments and Evidence and Further Comments and Evidence." KIST previously filed comments and evidence requesting the assignment of Channel 8 to Santa Barbara, California. These comments and evidence had no bearing on the assignment of television channels along the Mexican-United States borders. After the announcement in the Commission's notice of November 7, 1951, in these proceedings, of the Mexican-United States Television Agreement, KIST stated that it became apparent therefrom that an alternative proposal for the use of Channel 3 in Santa Barbara "had much to commend itself from an engineering point of view." It is stated further that "the superiority in the use of Channel 3 for Santa Barbara did not come into existence until the aforesaid agreement which, among other things, transferred Channel 3 to Mexicali, more than 250 miles removed from Santa Barbara."

KIST recognizes that the proposal to use Channel 3 at Santa Barbara violates the strict letter of the Mexican-United States Television Agreement but states its belief that there is sufficient merit in the proposal to warrant the request that the literal language of the agreement be modified sufficiently to permit consideration of the proposal. Supporting engineering evidence was attached to the KIST pleading of December 17, 1951.

On January 2, 1952, the National Broadcasting Company, Inc., filed an opposition to the request of KIST for leave to file late comments and evidence as described above. In support of its opposition, NBC states that the KIST request is not acceptable under the Commission's Notice of November 7, 1951, with respect to late comments that might be filed as the result of the Mexican-United States Television Agreement. NBC urges that the new proposal is not made solely as a result of the final changes in the Agreement and that the proposal is inconsistent with the Agreement. Since the proposal was not in conformity with the November 7th notice, NBC argues that the Commission should not accept the comments which have been filed late.

The Commission recognizes that the proposal which KIST wishes the Commission to consider at this time does not fall within the terms of the November 7th notice of the Commission. Nevertheless, the Commission believes that the petition to file the proposal outlined above should be accepted even though it is late. In granting the request for consideration of the proposal, we note that it does not involve any changes in the Mexican or United States assignments as set forth in the Mexican-United States Television Agreement. Further, while it is a proposal which was not made solely as a result of the Agreement, it does stem from the changes in the third notice made in the Agreement. Under the circumstances, we believe the public interest requires that the Commission should, in connection with the other matters that are pending in the above-entitled proceedings, accept the KIST proposal for consideration.

Accordingly, it is ordered, That the "Petition For Leave To File Comments and Evidence and Further Comments and Evidence of Radio KIST, Inc.," is granted and its comments and evidence are accepted for whatever consideration as may be appropriate in these proceedings. The National Broadcasting Company, Inc., and other interested parties will be afforded until January 16, 1952,

[1] See F. R. Doc. 52-607, Title 43, Chapter I, App., *supra.*

to file evidence, briefs and any other material in opposition to the KIST proposal.

Adopted: January 9, 1952.

Released: January 11, 1952.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 52-649; Filed, Jan. 16, 1952; 8:56 a. m.]

[Docket Nos. 10031-10034, 10046-10047]

PARAMOUNT PICTURES, INC., ET AL.

MEMORANDUM OPINION AND ORDER DENYING REQUEST

In re applications of Paramount Pictures, Inc., et al., Docket Nos. 10031-10034, for renewal of licenses, licenses, modification of construction permits and transfer of control; American Broadcasting Company, Inc., et al., Docket Nos. 10046-10047, for consent to assignment of licenses and transfer of control.

1. The Commission has before it a letter, dated December 10, 1951, filed by counsel for the American Broadcasting Company, Inc., a party in the above-entitled proceeding, requesting, among other matters, that the Commission prepare and make available to them a breakdown, according to networks, of the nationwide network time sales for the years 1949 and 1950, the aggregate figures of which are set forth in the Commission's public releases on "Broadcast Financial Data—1949" (Public Notice 57194) and "Broadcast Financial Data for Networks and AM, FM and Television Stations—1950." The request for other comparative network data for 1950 has been rendered moot by the aforementioned 1950 public release, and need not be further considered here.

2. As stated in this letter from counsel for the American Broadcasting Company, this proceeding contemplates inquiry, among other things, into the question of whether a grant of the applications ". . .would substantially lessen competition or tend to monopoly in any line of commerce, in any section of the country." As part of the proof to be submitted under this issue, the American Broadcasting Company, Inc., desires to show the comparative volumes of business of the four national standard broadcast networks (ABC, CBS, MBS and NBC) and the four national television networks (ABC, CBS, DuMont and NBC) for the years 1949 and 1950, and therefore requests that the Commission provide them with a breakdown, according to networks, of the nationwide network time sales for the years 1949 and 1950, the aggregate figures of which are set forth in the above described Commission releases. The American Broadcasting Company makes this request in accordance with section 0.206 (d) of the Commission's rules relating to "Inspection of Records." The Chief of the Commission's Broadcast Bureau has informally advised the Commission that in view of the Bureau's participation in this proceeding it would appear inappropriate to exercise his delegated authority as prescribed by section 0.143 of the Commission's rules, as amended.

3. The breakdown data herein requested would have to be compiled based upon the annual financial reports of the network licensees which are not generally available for public inspection. However, section 0.206 (d) of the Commission's rules does provide that such material may be made available in the Commission's discretion.

4. We are of the opinion, in the exercise of our discretion, that although these data are relevant to the issues of the proceeding, the American Broadcasting Company, in the light of published data on network gross billings which appear adequate to show the comparative volumes of network business, has failed to set forth sufficient reasons to show their need for these data in the proper presentation of their case.

5. We are of the further opinion in the event that the American Broadcasting Company desires to renew this request, it should be filed as a motion to produce evidence, and in that event the Examiner in this proceeding should exercise the discretion provided for in section 0.206 (d) of the Commission's rules by making a determination of whether the American Broadcasting Company needs these data for the proper presentation of their case, and of whether public interest would be served by permitting disclosure or withholding the data requested.

6. *Accordingly, it is ordered,* This 9th day of January 1952, that the above described request of the American Broadcasting Company, Inc., dated December 10, 1951, is denied, without prejudice to a further showing of the need for these data in order to properly present their case.

It is further ordered, That in the event the American Broadcasting Company files a Motion to Produce Evidence setting forth such a further showing, the Examiner in this proceeding is delegated authority to exercise the discretion provided for in section 0.206 (d) of the Commission's rules and, for purposes of this action, such delegated authority to the Chief of the Commission's Broadcast Bureau as prescribed by section 0.143 of the Commission's rules, as amended, is transferred to the Examiner in this proceeding.

Released: January 10, 1952.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 52-647; Filed, Jan. 16, 1952; 8:56 a. m.]

[Docket No. 9925]

JOSEPH F. BIDDLE PUBLISHING CO. (WHUN)

ORDER CONTINUING HEARING

In re application of The Joseph F. Biddle Publishing Co. (WHUN), Huntingdon, Pennsylvania, Docket No. 9925, File No. BP-7788; for construction permit.

The Commission having under consideration a petition filed January 9, 1952, by the above-entitled applicant requesting that the hearing now scheduled to begin January 14, 1952, be continued for a period of at least 30 days; and

It appearing that the reason for the requested continuance is the fact that as a result of field strength measurements and the analysis of other engineering data, the applicant has decided to amend its application to specify facilities which it believes will more fully serve the public interest in the area served by its existing station but that it will not be possible to complete and file the amendment before the presently scheduled hearing date; and

It appearing that Commission counsel has no objection to the granting of the requested continuance and is agreeable to immediate consideration of the petition, that there are no other parties to the proceeding; and good cause having been shown that the requested continuance should be granted;

It is ordered, This the 10th day of January 1952, that the petition to continue be and it is hereby granted and the hearing in the above-entitled application is continued from January 14, 1952, to February 18, 1952, beginning at 10:00 a. m. in the offices of the Commission in Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 52-648; Filed, Jan. 16, 1952; 8:56 a. m.]

ENGINEER IN CHARGE

DELEGATION OF AUTHORITY TO ACT UPON REQUESTS FOR TEMPORARY EXTENSION OF AUTHORITY FROM BROADCAST STATIONS TO OPERATE WITHOUT CERTAIN INDICATING INSTRUMENTS

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 9th day of January 1952;

The Commission having this day adopted amendments[1] of the Commission's rules which in part require that requests from broadcast stations for extension of authority for temporary operation without certain indicating instruments be filed with the Engineer in Charge of the radio district in which the station is located; and

It appearing, that under section 0.121 (a) authority to act upon such requests is delegated to the Chief Engineer; and

It further appearing, that the Commission may delegate authority to act upon such requests to members of the Commission's field staff under section 5 (e) of the Communications Act of 1934, as amended; and

It further appearing, that notice of proposed rule making is not required by the provisions of section 4 of the Administrative Procedure Act since the amendments of the rules herein relate to

[1] See F. R. Doc. 52-653, Title 47, Ch. I, Parts 1 and 3, *supra.*

internal Commission organization and procedure and are not substantive in nature;

It is ordered, That section 0.121 (a) of the Commission's rules be amended to provide as follows:

(a) Temporary authority as follows:

(1) For operation without thermometer in automatic temperature control chamber;

(2) For operation with temporary antenna system;

(3) For operation with auxiliary transmitter as main transmitter.

It is further ordered, That section 0.151 be amended to provide as follows:

SEC. 0.151 The Commission's Engineer in Charge (or in his absence the acting Engineer in Charge) at each headquarters office of the 23 districts of the Field Engineering & Monitoring Division is designated to act upon

(a) Applications for temporary permission to operate Standard and FM broadcast stations with licensed operators of lesser grade than normally required by the Commission's rules or for waiver of other technical requirements of operators at such stations;

(b) Informal requests from broadcast stations to extend temporary authority for operation without any of the following: modulation monitor, frequency monitor, plate ammeter, plate voltmeter, base current meter, common point meter and transmission line meter for FM and television stations.

It is further ordered, That this order shall become effective the 24th day of January 1952.

(Sec. 5 (e), 48 Stat. 1068; 47 U. S. C. 155 (e). Interprets or applies Sec. 303, 48 Stat. 1082; 50 Stat. 191; 47 U. S. C. 303)

Released: January 11, 1952.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 52-652; Filed, Jan. 16, 1952; 8:58 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1595]

KANSAS-COLORADO UTILITIES, INC.

ORDER FIXING DATE OF HEARING

JANUARY 10, 1952.

On January 24, 1951, Kansas-Colorado Utilities, Inc. (Kansas-Colorado), a Kansas corporation having its principal place of business at Lamar, Colorado, filed an application, as supplemented June 6, 1951, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing the sale of natural gas, all as more fully described in such supplemented application on file with the Commission and open to public inspection, public notice thereof having been given, including publication in the FEDERAL REGISTER on February 13, 1951 (16 F. R. 1481).

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a public hearing be held on January 24, 1952, commencing at 10:00 a. m., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue, NW., Washington, D. C., concerning the matters involved and the issues presented by the application.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the Commission's rules of practice and procedure.

Date of issuance: January 11, 1952.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52-617; Filed, Jan. 16, 1952; 8:51 a. m.]

[Docket No. G-1863]

COAST COUNTIES GAS AND ELECTRIC CO.

NOTICE OF APPLICATION

JANUARY 10, 1952.

Take notice that Coast Counties Gas and Electric Company, (Applicant), a California corporation with its principal place of business in San Francisco, California, filed on December 26, 1951, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act authorizing the transportation of natural gas originating outside the State of California through existing pipelines which transport gas from connections with the "Stanpac" line of Standard Pacific Gas Line, Inc., (Standard).

Applicant states that Standard is routing gas from outside the State of California through its "Stanpac" Line, and Applicant proposes to transport the volumes of interstate gas received from Standard in the same manner as it has heretofore transported intrastate gas. Applicant states that no new facilities will be required for the proposed transportation.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 30th day of January 1952. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52-618; Filed, Jan. 16, 1952; 8:51 a. m.]

[Docket No. G-1864]

EL PASO NATURAL GAS CO.

NOTICE OF APPLICATION

JANUARY 10, 1952.

Take notice that on December 26, 1951, El Paso Natural Gas Company (Applicant), a Delaware corporation of El Paso, Texas, filed an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of 6.9 miles of 4½-inch and 6⅝-inch pipeline from the Texas Company's gasoline plant in the Cogdell field to a point on applicant's existing 12¾-inch line near the Standard of Texas plant in Leroy County, Texas, and a meter station thereon to be known as the Cogdell Purchase Meter Station.

Through the proposed facility, Applicant expects to transport up to 2,500 Mcf per day of natural gas which Applicant has contracted to purchase from Stanolind Oil and Gas Company. The cost of these facilities is estimated to be $70,000 which will be paid from general funds of Applicant.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 30th day of January 1952. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52-619; Filed, Jan. 16, 1952; 8:51 a. m.]

[Docket No. G-1866]

TEXAS EASTERN TRANSMISSION CORP.

NOTICE OF APPLICATION

JANUARY 10, 1952.

Take notice that Texas Eastern Transmission Corporation (Applicant), a Delaware corporation with its principal office at Shreveport, Louisiana, filed on December 28, 1951, an application pursuant to section 7 of the Natural Gas Act, as amended, for a certificate of public convenience and necessity authorizing it to sell and deliver natural gas on an emergency basis to Illinois Electric and Gas Company, National Gas and Oil Corporation, Waynesburg Home Gas Company, Consumers Gas Company (Carmi, Illinois), Southeastern Illinois Gas Company, Indiana Gas and Water Company, Associated Natural Gas Company, and Missouri Utilities Company.

Applicant states that pursuant to § 157.14 of the Commission's rules and regulations it has already commenced emergency service to the above companies, and that it is informed that such emergency deliveries will be required for periods exceeding 60 days in the aggregate. Applicant proposes to deliver emergency gas, when available, to such of its above-named companies as request emergency gas service on any particular day during the period ending April 30, 1952. When the requests for gas are greater than the amount available, Applicant proposes to distribute such gas on such basis as appears to Applicant to be most equitable under the circumstances on any particular day. Temporary authorization was granted Applicant on January 3, 1952; said authorization to extend to April 30, 1952.

Applicant requests omission of the intermediate decision procedure. Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure

(18 CFR 1.8 or 1.10) on or before the 30th day of January 1952. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-620; Filed, Jan. 16, 1952; 8:52 a. m.]

[Docket No. G-1867]

CITIES SERVICE GAS CO.

NOTICE OF APPLICATION

JANUARY 10, 1952.

Take notice that Cities Service Gas Company (Applicant), a Delaware corporation, address, Oklahoma City, Oklahoma, filed on December 29, 1951, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of approximately 21.4 miles of 26-inch natural-gas pipeline to replace two parallel 16-inch pipelines extending southwesterly from the southern terminus of an existing 26-inch pipeline in Franklin County, Kansas, and the addition of one 1,000 horsepower compressor unit to Applicant's Welda Compressor Station located in Anderson County, Kans.

Applicant proposed to utilize said facilities to provide increased line capacity for natural gas from its Colony and Welda Storage Fields to enable Applicant to increase its wintertime maximum daily delivery supply by approximately 60,000 Mcf thereby assisting it to meet increased requirements for firm service in the Kansas City, Kansas; and Kansas City, Missouri areas. Applicant expects the additional facilities to provide greater flexibility throughout its entire system.

The estimated cost of the proposed facilities is $1,202,500 which Applicant proposes to pay for out of funds from its treasury.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 30th day of January 1952. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-621; Filed, Jan. 16, 1952; 8:52 a. m.]

[Docket No. G-1868]

CITIZENS GAS CO.

NOTICE OF APPLICATION

JANUARY 10, 1952.

Take notice that Citizens Gas Company (Citizens), an Illinois corporation, having its principal place of business at Tuscola, Illinois, filed on December 29, 1951, an application for a Commission order disclaiming jurisdiction.

On September 10, 1951, the Commission by order issued a certificate of public convenience and necessity to the Texas Illinois Natural Gas Pipeline Company (Texas Illinois) authorizing Texas Illinois to sell and deliver natural gas to Citizens for sale and distribution in the communities of Bement and Lovington, Illinois. The order of September 10, 1951, issuing the aforementioned certificate to Texas Illinois, contained the following condition: "this authorization is conditioned, as to each sale to a company, upon such company obtaining a certificate of public convenience and necessity pursuant to Section 7 of the Natural Gas Act, or establishing that such certificate is not required."

In compliance therewith, Citizens now makes said application, and in support thereof avers that it proposes to make physical connection with the facilities of Texas Illinois at a point approximately 1,000 feet due east of the corporate limits of Lovintgon, at which point there will be located a town border station for the community of Lovington, and further, that it proposes to make physical connection with the facilities of Texas Illinois at a point approximately 13,200 feet due east of the corporate limits of Bement, at which point there will be a town border station for the community of Bement.

Citizens states that it proposes to construct and operate a gas distribution system in the community of Lovington, and it environs, and in the community of Bement, and its environs. Citizens proposes to furnish natural-gas service to the general public at all points on its distribution lines commencing at the town border stations in each of the Illinois communities proposed to be served.

Citizens requests the Commission to find that all the facilities to be constructed and operated to render natural-gas service to both the communities of Lovington and Bement, and their environs, will, in each instance, constitute an integrated part of the distribution systems for each of said communities, and will be used for local distribution within the meaning of section 1 (b) of the Natural Gas Act.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 30th day of January 1952. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-622; Filed, Jan. 16, 1952; 8:52 a. m.]

[Docket No. G-1869]

UNITED GAS PIPE LINE CO.

NOTICE OF APPLICATION

JANUARY 10, 1952.

Take notice that United Gas Pipe Line Company (Applicant), a Delaware corporation with its principal place of business at 1525 Fairfield Avenue, Shreveport, Louisiana, filed on January 3, 1952, an application pursuant to section 7 of the Natural Gas Act to operate facilities certificated by the Commission in Opinion No. 206 and accompanying order issued February 27, 1951. In the matter of United Gas Pipe Line Company, Docket No. G-1447, for the transportation and sale of natural gas to Texas Gas Transmission Corporation (Texas Gas).

Applicant proposes to deliver and sell natural gas to Texas Gas under a form of contract attached to a precedent agreement dated March 5, 1952, entered into between the parties, and attached to United's application at Docket No. G-1631. That application of United was denied without prejudice by Opinion No. 220 and accompanying order issued November 6, 1951.

Applicant states that it is presently completing the execution of an extension of the aforesaid precedent agreement. Under said precedent agreement, Applicant proposes to deliver and sell to Texas Gas up to a maximum daily quantity of 200,000 Mcf of natural gas. During the second contract year and thereafter, Applicant proposes to deliver and sell, at the election of Texas Gas, up to a maximum daily quantity of 275,000 Mcf of gas.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.10) on or before the 30th day January 1952.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-616; Filed, Jan. 16, 1952; 8:51 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-2763]

INDIANA & MICHIGAN ELECTRIC CO.

ORDER REGARDING ISSUANCE AND SALE OF BONDS AND SERIAL NOTES

JANUARY 11, 1952.

Indiana & Michigan Electric Company ("Indiana"), an electric utility subsidiary of American Gas and Electric Company ("American Gas"), a registered holding company, having filed an application and amendment thereto, pursuant to the Public Utility Holding Company Act of 1935, particularly section 6 (b) and Rules U-42 and U-50 of the rules and regulations under the act, with regard to the following proposed transactions:

Indiana proposes to issue and sell, pursuant to the competitive bidding requirements of Rule U-50, $17,000,000 principal amount of First Mortgage Bonds __ Percent Series due 1982, and $6,000,000 principal amount of __ Percent Serial Notes, due 1956-67.

The bonds proposed to be sold will be issued under and secured by the existing Mortgage and Deed of Trust, dated June 1, 1939, as supplemented and amended, and a new Supplemental Indenture to be dated as of January 1, 1952.

The Serial Notes will be issued pursuant to an agreement to be dated as of

January 1, 1952, between Indiana and Chemical Bank & Trust Company as Trustee. The Notes are to be issued in twelve series, maturing annually in amounts of $250,000 in the years 1956 to 1960, inclusive; $500,000 in the years 1961 and 1962; and $750,000 in the years 1963 to 1967, inclusive.

American Gas, the parent company of Indiana, proposes to make a cash capital contribution to Indiana equal to the balance of an aggregate of $8,000,000 concurrently with the issuance of the Bonds and Serial Notes. Such contribution will be made in accordance with the prior order of this Commission, dated December 3, 1951, pursuant to which American Gas on December 10, 1951, made a cash capital contribution to Indiana in the amount of $2,000,000 leaving a balance of $6,000,000 yet to be contributed. The proposed sales of the Bonds and Serial Notes are stated to be conditioned upon the consummation of such transaction.

The applicant states that part of the proceeds from the sales of the Bonds and Serial Notes and the cash capital contribution are to be applied to the payment, without premium, of notes payable to certain banks in the amount of $12,000,000 heretofore issued for construction purposes, and the balance will be added to Indiana's treasury funds and applied to additions and improvements to its properties. Applicant further states that $2,000,000 principal amount of such notes payable to banks will mature prior to the issuance and sale of the Bonds and Serial Notes and will be paid from the proceeds of a portion of the cash capital contributions to be made by American Gas.

Indiana requests that the period for receiving bids as provided in Rule U-50 (b) be shortened to seven days so that bids may be received on January 22, 1952.

Notice of the filing of the application, as amended, having been given in the form and manner prescribed by Rule U-23 promulgated pursuant to the act, and the Commission not having received a request for a hearing and not having ordered a hearing thereon; and

The proposed transactions having been duly authorized by orders of the Public Service Commission of Indiana and the Michigan Public Service Commission; and

The Commission finding with respect to the application, as amended, that the applicable statutory standards are satisfied and that it is not necessary to impose any terms or conditions other than those set forth below, and the Commission deeming it appropriate that said application, as amended, be granted subject to the reservation of jurisdiction hereinafter provided, and the Commission also deeming it appropriate to grant the request that the period for receiving competitive bids be shortened to seven days so that bids may be received on January 22, 1952.

It is ordered, Pursuant to said Rule U-23 and the applicable provisions of the act that the application, as amended, be, and the same hereby is, granted, effective forthwith, subject to the terms and conditions prescribed in Rule U-24 and subject to the following additional terms and conditions:

(1) That the proposed issuance and sale by Indiana of $17,000,000 principal amount of First Mortgage Bonds, __ Percent Series due 1982 and $6,000,000 principal amount of __ Percent Series Notes, due 1956–1967, shall not be consummated until the results of competitive bidding, held with respect thereto, shall have been made a matter of record in this proceeding, and a further order shall have been entered by this Commission in the light of the record so completed, which order shall contain such further terms and conditions, if any, as may be deemed appropriate, for which purpose jurisdiction be, and the same hereby is, reserved;

(2) That jurisdiction be reserved as to any and all fees and expenses incurred or to be incurred in connection with the consummation of the proposed transactions;

It is further ordered, That the period for receiving competitive bids on the Bonds and Notes be, and the same hereby is, shortened to not less than seven days.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 52–623; Filed, Jan. 16, 1952; 8:52 a. m.]

[File No. 70-2775]

MYSTIC POWER CO.

NOTICE OF PROPOSED NOTE ISSUES

JANUARY 11, 1952.

Notice is hereby given that an application has been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935 ("act"), by The Mystic Power Company ("Mystic"), a public utility subsidiary of New England Electric System, a registered holding company. Applicant has designated section 6 (b) of the act as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than January 29, 1952, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues, if any, of fact or law raised by said application which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after January 29, 1952, said application, as filed or as amended, may be granted as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof.

All interested persons are referred to said application which is on file in the office of this Commission for a statement of the transactions therein proposed, which are summarized as follows:

Pursuant to a Bank Credit Agreement, dated December 27, 1951, with Industrial Trust Company, Providence, Rhode Island, Mystic proposes to issue, from time to time, on or before June 30, 1953, promissory notes in an aggregate principal amount not in excess of $500,000. All of said notes will mature on July 1, 1953, and will bear interest at the prime 90-day commercial rate generally being charged by banks in Providence, Rhode Island (presently 3 percent per annum) on the fifth day prior to borrowings but in no event less than 3 percent per annum nor more than 3¼ percent per annum. It is stated that a commitment fee at the rate of one-quarter of one percent per annum will be paid on the average daily unborrowed balance from the effective date of the Agreement.

The proceeds from the sale of the notes will be used to pay the company's presently outstanding bank loans aggregating $325,000 and for construction and gas conversion costs.

It is represented that the Connecticut Public Utilities Commission has jurisdiction over the proposed transactions and that there are no fees, commissions or other remuneration involved, other than expenses, estimated not to exceed $1,000, of New England Power Service Company, an affiliated service company. Also, the Bank Credit Agreement provides that Mystic will reimburse the bank for out-of-pocket expenses, including counsel fees in connection with said Agreement. It is stated that the company expects such expenses to be nominal.

It is requested that the Commission's order herein become effective upon its issuance.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 52–624; Filed, Jan. 16, 1952; 8:53 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

[Vesting Order 16346, Amdt.]

MRS. LOUISE SPECHT ET AL.

In re: Rights of Mrs. Louise Specht, nee Rohde, et al., under insurance contract. File No. F–28–22717–H–1.

Vesting Order No. 16346, dated December 11, 1950, is hereby amended to read as follows:

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1–40); Public Law 181, 82d Congress, 65 Stat. 451; Executive Order 9193, as amended by Executive Order 9567 (3 CFR, 1943 Cum. Supp.; 3 CFR, 1945 Supp.) Executive Order 9788 (3 CFR, 1946 Supp.) and Executive Order 9989 (3 CFR, 1948 Supp.), and pursuant to law, after investigation, it is hereby found:

1. That Mrs. Louise Specht, nee Rohde, whose last known address is 45 Am Hasenberge, Hamburg-Fuhlsbuettel, Germany; Mrs. Wilma Teuteberg, nee Rohde, 5 Gr. Scharnhorst, Reinbek (Hamburg District), Germany; Mrs. Franziska Meyer, nee Rohde, 106 Bahrenfelderchaussee, 3d Fl., Hamburg-Bahrenfeld, Germany; Mrs. Amalie Schuette, nee Rohde, 161 Friedrich-Ebertallee, Hamburg-Gr. Flottbek, Germany; and of the reversionary heirs,

Erika Rohde, c/o Valesca Kohrs, guardian, 6 Wattkorn, Hamburg-Langenhorn 2, Germany; Harald Truhe, c/o Rudolf Truhe, guardian, 55 Barmbekerstrasse, Hamburg, Germany, on or since December 11, 1941, and prior to January 1, 1947, were residents of Germany and are, and prior to January 1, 1947, were, nationals of a designated enemy country (Germany);

2. That the domiciliary personal representatives, heirs, next-of-kin, legatees and distributees, names unknown, of Mrs. Louise Specht, nee Rohde, Mrs. Wilma Teuteberg, nee Rohde, Mrs. Franziska Meyer, nee Rohde, Mrs. Amalie Schuette, nee Rohde, Erika Rohde, Harald Truhe, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 538 524, issued by the New York Life Insurance Company, New York, New York, to Wilhelm Rohde, together with the right to demand, receive and collect said net proceeds, is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

4. That the national interest of the United States requires that such persons named in subparagraph 1 hereof and the domiciliary personal representatives, heirs, next-of-kin, legatees and distributees, names unknown, of Mrs. Louise Specht, nee Rohde, Mrs. Wilma Teuteberg, nee Rohde, Mrs. Franziska Meyer, nee Rohde, Mrs. Amalie Schuette, nee Rohde, Erika Rohde, Harald Truhe, be treated as persons who are and prior to January 1, 1947, were nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 9, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General, Director, Office of Alien Property.

[F. R. Doc. 52-595; Filed, Jan. 15, 1952; 8:51 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 26694]

ALCOHOLS FROM ARKANSAS, LOUISIANA, OKLAHOMA, AND TEXAS TO MINNESOTA AND WISCONSIN

APPLICATION FOR RELIEF

JANUARY 14, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: F. C. Kratzmeir, Agent, for carriers parties to his tariff I. C. C. No. 3721.

Commodities involved: Alcohol and related articles, carloads.

From: Specified points in Arkansas, Louisiana, Oklahoma, and Texas.

To: Hutchinson, Minn., and Richland Center, Wis.

Grounds for relief: Competition with rail carriers, circuitous routes, and market competition.

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, I. C. C. No. 3721, Supp. 202.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 52-630; Filed, Jan. 16, 1952; 8:53 a. m.]

[4th Sec. Application 26695]

SULPHURIC ACID FROM MOBILE, ALA., TO ST. LOUIS, MO., AND EAST ST. LOUIS, ILL.

APPLICATION FOR RELIEF

JANUARY 14, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: F. C. Kratzmeir, Agent, for carriers parties to Agent C. A. Spaninger's tariff I. C. C. No. 1200, pursuant to fourth-section order No. 16101.

Commodities involved: Sulphuric acid, in tank-car loads.

From: Mobile, Ala.

To: St. Louis, Mo., and East St. Louis, Ill.

Grounds for relief: Circuitous routes and operation through higher-rated territory.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 52-631; Filed, Jan. 16, 1952; 8:54 a. m.]

[Rev. S. O. 562, King's I. C. C. Order 53-A]

ATLANTA AND WEST POINT RAIL ROAD CO. ET AL.

REROUTING OR DIVERSION OF TRAFFIC

Upon further consideration of King's I. C. C. Order No. 58, and good cause appearing therefor:

It is ordered, That: (a) King's I. C. C. Order No. 58 be, and it is hereby vacated and set aside.

(b) Effective date: This order shall become effective 4:00 p. m., January 10, 1952.

It is further ordered, That this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., January 10, 1952.

INTERSTATE COMMERCE COMMISSION,
HOMER C. KING,
Agent.

[F. R. Doc. 52-632; Filed, Jan. 16, 1952; 8:54 a. m.]